

INJURY DEFENSE FRANCHISE AND AGREEMENT FORM INSTRUCTIONS

1. PURPOSE:

This form is a defensive tool for use by those interfacing with either a government officer or government agency. Its purpose is to:

1. Establish and protect your sovereignty.
2. Preserve your equitable position and prevent you from becoming unequal or inferior in relation to any government or Government Actor. The only way you can become unequal is by consenting to it in some form.
3. Ensure that you cannot lawfully participate in any franchise court or be subject to the whims of any government agency or the administrative law that implements it, such as:
 - 3.1. Traffic Court.
 - 3.2. Family Court.
 - 3.3. Tax Court.
4. Invoke **ONLY** the protections of the common law and the Constitution and not statutory civil law. All statutory civil law is law for government and not private human beings.¹
5. Ensure that everyone you deal with in the government is constrained to provide the **ONLY** thing that the government was established for, which is to protect **PRIVATE** property and **PRIVATE** rights.
6. Impose an anti-franchise franchise that prevents the enforcement of any government franchise against you.
7. Maintain the status of your **PRIVATE** property as private and prevent it from being donated to a public use, public purpose, or public office without your express written consent.
8. Establish, preserve, and protect your proper civil status within existing state and federal law.
9. Prevent private people from being victimized by the presumptions or equivocations of others by defining the meaning and context of all key terms and burden of proof against the government in **REDEFINING** them for nefarious uses.
10. Keep you disconnected from all government statutory civil law, which can lawfully regulate only Government Actors and instead impose only the common law for the protection of your rights.
11. Invoke all the same presumptions against the government that they invoke against you and therefore turn the tables.
12. Prevent any commercial use of materials or services or interactions by Government Actor as against Protected Party.
13. To prevent and punish the tendency of sophists in the government to use word games to evade their responsibility to obey our Member Agreement if they want to use our privileged and protected information or services for a commercial purpose that might benefit them in any way.²

The authority for creating and enforcing this franchise and agreement is the requirement for equal protection and equal treatment that is the foundation of the United States Constitution. Since governments have implemented franchises on a grand scale, we claim the **EQUAL** right to establish and enforce similar franchises to prevent us from being compelled to be part of theirs.

Attach this form to correspondence sent to the government to give reasonable notice of what the recipient mandatorily agrees to as a condition of either demanding or receiving any of your property or services.

2. OTHER FORMS THIS FORM IS REFERENCED IN

This form is incorporated by reference into the following other forms. Therefore, there is no need to add it to these forms:

1. *SEDM Member Agreement*, Form #01.001, Section 5
<http://sedm.org/Forms/FormIndex.htm>
2. *SEDM Disclaimer*, Section 5
<http://www.sedm.org/disclaimer.htm>

¹ See: *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037; <https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>.

² See: *An Introduction to Sophistry Course*, Form #12.042; <https://sedm.org/an-introduction-to-sophistry/>.

3. Deposition Handout: Member Deposition, Form #03.005, Exhibit 1
<http://sedm.org/Forms/FormIndex.htm>
4. Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002, Section 8
<http://sedm.org/Litigation/LitIndex.htm>
5. Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001, Section 4
<http://sedm.org/Forms/FormIndex.htm>
6. Tax Form Attachment, Form #04.201, Section 6
<http://sedm.org/Forms/FormIndex.htm>

3. **FREQUENTLY ASKED QUESTION(S)**

3.1 **QUESTION 1: Why would anyone in their right mind want to sign or consent to this agreement?"**

Hi, I just finished reading the Injury Defense Franchise and Agreement, Form 06.027. At the end of this document, there is a page for the signature of the Protected Party AND signature of the "Government Actor."

My question is no "Government Actor" in his/her right mind is actually going to sign this document, so I would like to know what it is that "binds" the Government Actor to the stipulations within the Anti-Franchise Franchise.

I realize that WE DID NOT agree to the stipulations of their franchises either, at least not knowingly, and that this is kind of the whole point in making the Anti-Franchise Franchise, but how can this be used against them if they refuse to sign it, which they obviously will do?

3.2 **ANSWER 1:**

What binds them is the SAME thing that binds us to THEIR franchises: Acceptance of the "benefits" of the relationship. Those "benefits" are enumerated in this document itself. Here are some legal authorities documenting that the acceptance of the benefits described constitutes constructive consent to all the obligations arising from the delivery of the benefit, property, or services from you that they seek, including in the form of civil statutory obligations:

"The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent [a type of CONSENT] to the regulation of its use and the compensation for it."
[Munn v. Illinois, 94 U.S. 113 (1876)]

CALIFORNIA CIVIL CODE
DIVISION 3. OBLIGATIONS
PART 2. CONTRACTS
CHAPTER 3. CONSENT
Section 1589

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

He who receives the benefit should also bear the disadvantage.”
“Que sentit commodum, sentire debet et onus.

He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv.
Inst. n. 1433.”

[Bouvier’s Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm/>

Under our system of law, ALL "persons" are equal. If the government can rope US into THEIR franchises by the above mechanisms, which is EXACTLY what they do, then we can do the SAME thing to them under the concept of EQUAL PROTECTION and EQUAL TREATMENT. Any assertion to the contrary is a violation of due process of law and a denial of equal protection and equal treatment.

Any Government Actor who argues against the above approach is essentially:

1. Discrediting the ONLY useful tool they have to prosecute tax crimes.
2. Contradicting their own statements and behavior.
3. Declaring any and all previous criminal tax prosecutions as VOID and FRAUDULENT.

Whenever they prosecute people for tax crimes, they ALWAYS do the same thing as the anti-franchise franchise does:

1. They claim that the defendant is accepting the "benefits" of living here without "paying their fair share".
2. Getting the jury angry at the defendant because it increases THEIR tax bill, which incidentally is a CRIME called jury tampering and criminal financial conflict of interest under 18 U.S.C. §208.

The above techniques are documented in:

The Government Benefits Scam, Form #05.040

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

If THEY can do it, then YOU can do it! In a nation that at least gives LIP service to EQUALITY OF ALL and where Obama stated in his very own inauguration speech that "we are all equal", anyone who claims otherwise is a HYPOCRITE AND is calling our very own president a LIAR!

Every technique that is or can be successful against the corrupted government will ALWAYS emulate their very own behavior and let them discredit themselves in the process of defending against it. And what jurist DOESN'T hate that kind of hypocrisy? We don't know any. That's Sun Tzu's approach:

“Use the enemy's main strength against himself.”

The U.S. Supreme Court has held that EQUALITY OF RIGHTS and TREATMENT are the FOUNDATIONS of ALL of your freedom!

“No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government.”

[Gulf, C. & S. F. R. Co. v. Ellis, 165 U.S. 150 (1897)]

The ONLY way you can lawfully be treated UNEQUALLY is with your express consent. Any government which asserts a right that they refuse to allow you to have has the burden of proving with evidence introduced into the record that you EXPRESSLY CONSENTED to be treated unequally in relation to them in a form and in a manner that ONLY you can specify. That manner should ALWAYS be in writing with your signature on it and with the signature of someone from the government who has delegated authority to make such a commitment.

If you would like to know more about the legal requirement for EQUAL PROTECTION AND EQUAL TREATMENT that is the FOUNDATION of the United States Constitution, see:

Requirement for Equal Protection and Equal Treatment, Form #05.033
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/EqualProtection.pdf>
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

You can't "govern" people who are equal. They have to consent to be UNEQUAL before they can be CIVILLY governed and be called a "subject". AND you can't be a "sovereign" and a "subject" at the same time. A statutory "citizen" is a subject, and therefore is UNEQUAL and INFERIOR to the government they are a member of. That is the conclusion of the following wonderful memorandum of law, which you should ALSO read:

Why Statutory Civil Law is Law for Government and not Private Persons, Form #05.037
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

7. RESOURCES FOR FURTHER STUDY

- 7.1. *Sovereignty and Freedom Page*-Family Guardian Website
<http://famguardian.org/Subjects/Freedom/Freedom.htm>
- 7.2. *Government Franchises Course*, Form #12.012
<https://sedm.org/Forms/FormIndex.htm>
- 7.3. *Government Instituted Slavery Using Franchises*, Form #05.030-how the government accomplishes the OPPOSITE of the purpose of its creation, and thereby illegally converts all private property to public property.
<http://sedm.org/Forms/FormIndex.htm>
- 7.4. *The "Trade or Business" Scam, Form #05.001*-heart of the IRS fraud
<http://sedm.org/Forms/FormIndex.htm>
- 7.5. *Sovereignty Forms and Instructions*, Form #10.005-how to restore one's sovereignty
<http://sedm.org/Forms/FormIndex.htm>
- 7.6. *Sovereignty Forms and Instructions Online*, Form #10.004-online version of the above
<http://famguardian.org/TaxFreedom/FormsInstr.htm>

INJURY DEFENSE FRANCHISE AND AGREEMENT



If you want or expect any private services or private property from me, you have to pay for it by obeying this document. The obligations described herein are “taxes” defined above to the party making the demand or request for compliance, services, or property. All such requests establish a waiver of official, judicial, and sovereign immunity because of the pursuit of a benefit in a legislatively but not constitutionally foreign jurisdiction.

The only thing I demand from you is obedience to the constitution and respect for private property, which is not a franchise benefit and which can never become a privilege without violating the constitution. Thus, the only party waiving sovereignty and sovereign immunity is YOU, not me. I accept and consent to no civil statutory status or the rights or obligations attached to it in the context of any and all interactions between us.

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>

The following authorities go BOTH WAYS under the concept of equal protection and equal treatment. If you want the benefit, use, or control of my absolutely owned private property, then only I can make the rules governing our relationship. This includes any and all civil enforcement activity. If I want your property or services OTHER than obeying the constitution or respecting private property as documented herein then YOU make the rules under Article 4, Section 3, Clause 2.

“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”

[Munn v. Illinois, 94 U.S. 113 (1876)]

*“We have repeatedly held that the Federal Government may impose appropriate conditions on the use of [federal property](#) or [privileges \[franchises, Form #05.030\]](#) and may require that state instrumentalities comply with [conditions \[obligations, Form #12.040\]](#) that are reasonably related to the federal interest in particular national projects or programs. See, e. g., *Ivanhoe Irrigation Dist. v. McCracken*, 357 U.S. 275, 294 -296 (1958); *Oklahoma v. Civil Service Comm'n*, 330 U.S. 127, 142 -144 (1947); *United States v. San Francisco*, 310 U.S. 16 (1940); cf. *National League of Cities v. Usery*, 426 U.S. 833, 853 (1976); *Fry v. United States*, 421 U.S. 542 (1975). A requirement that States, like all other users, pay a portion of the costs of the [benefits \[Form #05.040\]](#) they enjoy from federal programs is surely permissible [meaning CONSTITUTIONAL] since it is closely related to the [435 U.S. 444, 462] federal interest in recovering costs from those who [benefit](#) and since it effects no greater interference with state sovereignty than do the restrictions which this Court has approved.”*

[Massachusetts v. United States, 435 U.S. 444 (1978);

https://scholar.google.com/scholar_case?case=16842193024599209893/]

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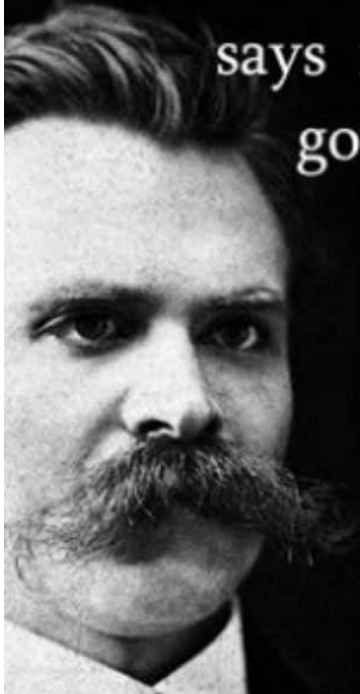
1 DEDICATION

Government is the coldest
of all cold monsters.

Coldly it lies; and this lie
slips from its mouth:
"I, government, am the people."

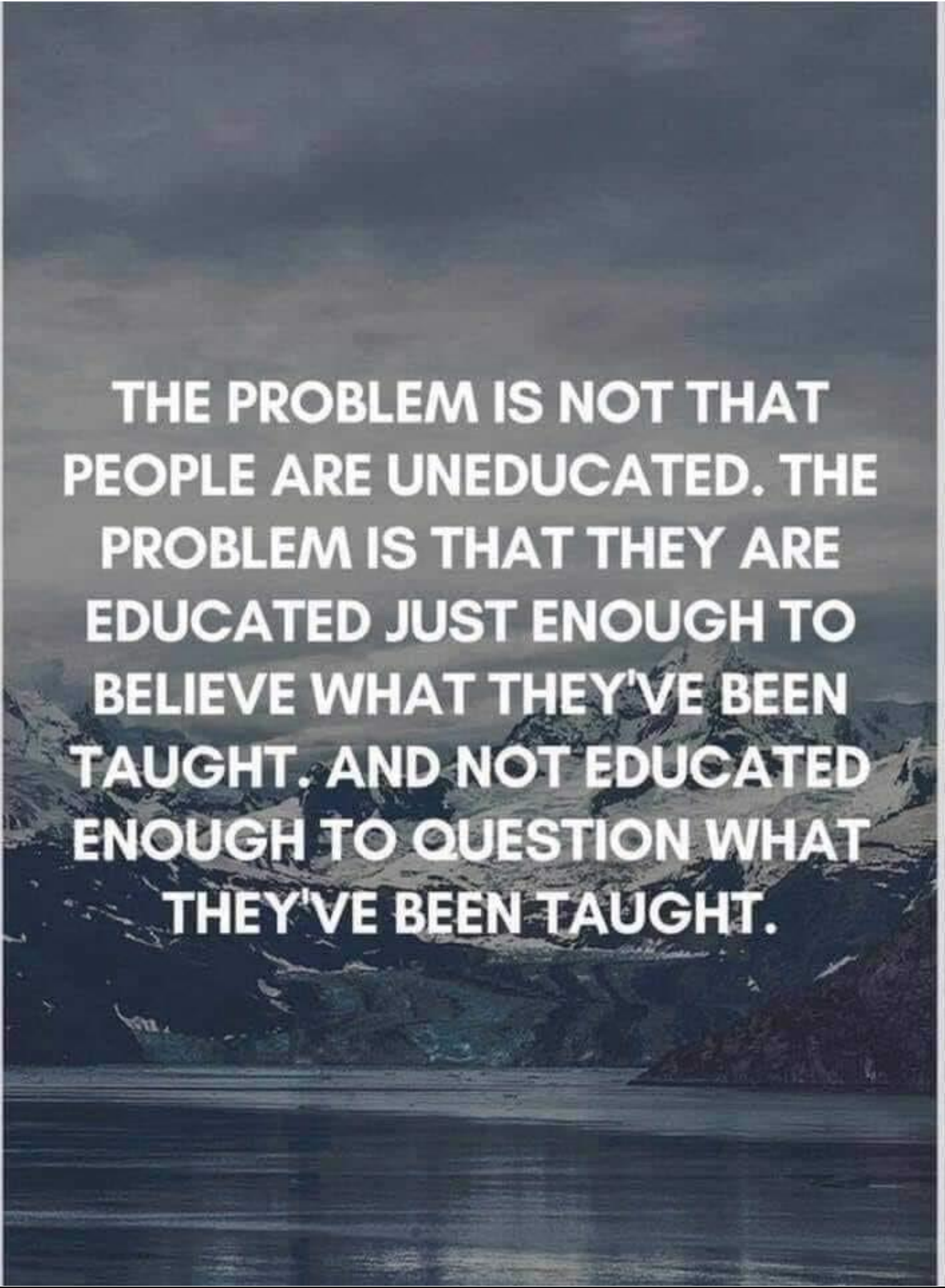
Everything government
says is a lie, and everything
government has it has
stolen.

Friedrich Nietzsche

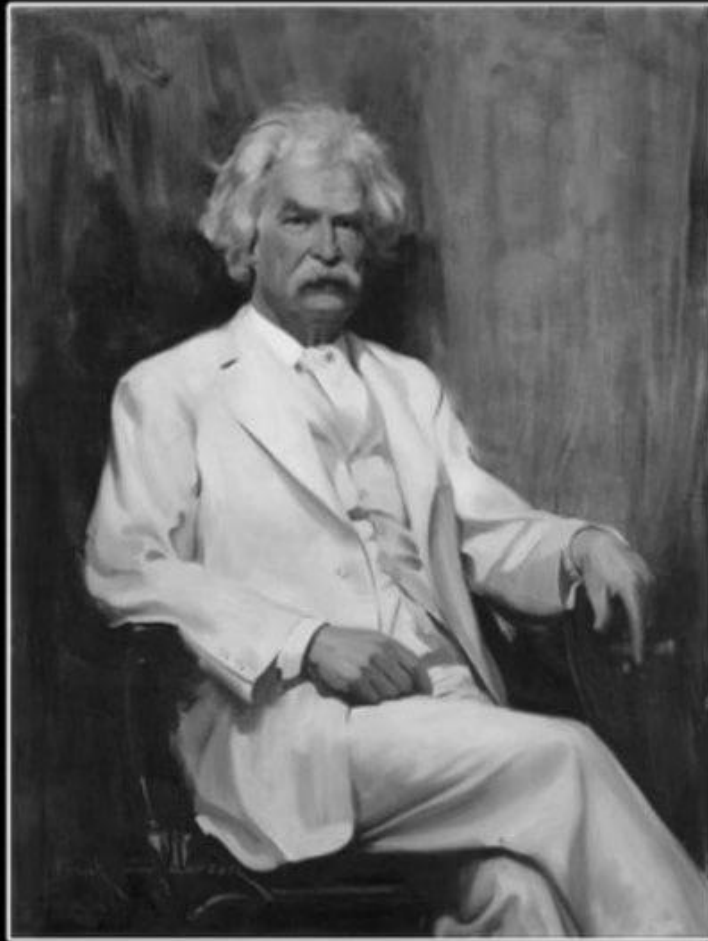


IN ORDER TO EVEN
BEGIN TO UNDERSTAND
WHAT'S GOING ON
IN THE WORLD RIGHT
NOW. YOU HAVE TO
BE OPEN TO THE
IDEA OF UNLEARNING
ALMOST EVERYTHING
YOU WERE TAUGHT.

1



**THE PROBLEM IS NOT THAT
PEOPLE ARE UNEDUCATED. THE
PROBLEM IS THAT THEY ARE
EDUCATED JUST ENOUGH TO
BELIEVE WHAT THEY'VE BEEN
TAUGHT. AND NOT EDUCATED
ENOUGH TO QUESTION WHAT
THEY'VE BEEN TAUGHT.**



“I was educated once —
it took me years to get over it.”

— Mark Twain

QUESTION: If government doesn't produce anything and only redistributes OTHER people's money from outside its own territory to pay bribes to extend its influence beyond that territory and enslave people using franchises (Form #05.030), then how is a “source within the United States**” even realistically possible. Aren't all those who receive the proceeds of this “protection racket” essentially criminal money launderers beyond that point? More on this subject at:

1. *Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers*, Form #02.005
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>
PDF: <https://sedm.org/Forms/02-Affidavits/AffOfDuress-Tax.pdf>
2. *Government Franchises Course*, Form #12.012
VIDEO: <http://youtu.be/vnDcauqlbTQ>
PDF: <https://sedm.org/LibertyU/GovFranchises.pdf>
3. *Government Instituted Slavery Using Franchises*, Form #05.030
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>
PDF: <https://sedm.org/Forms/05-MemLaw/Franchises.pdf>
4. *There's No Such Thing as a Democrat Who Isn't "Privileged"*, SEDM
<https://sedm.org/theres-no-such-thing-as-a-democrat-who-isnt-privileged/>
5. *Corruption, Scams, and Frauds*, Family Guardian Fellowship
<https://famguardian.org/Subjects/Scams/scams.htm>
6. *Government Corruption: Causes and Remedies Course*, Form #12.026
<https://sedm.org/GovCorruption/GovCorruption.pdf>
7. *Government Corruption*, Form #11.401
<https://sedm.org/home/government-corruption/>

There IS, in fact NO SUCH THING as a "source within the United States" or being "in the United States" under the tax code that does not originate from a government payment or a public office WITHIN the "United States" federal corporation respectively. All payments originating from the "United States", in fact, are GOVERNMENT PAYMENTS ONLY that originated almost universally and ultimately from OUTSIDE the "United States" federal corporation and outside the geographical "United States" defined in 26 U.S.C. § 7701(a)(9) and (a)(10). There couldn't be a better tax than one ONLY upon the government!

Dear sir,

This letter is a response to your tax collection notice in which you allege, without evidence or even a valid signature of a real, accountable, living person who has a personal knowledge, that I have a liability under the Internal Revenue Code Subtitle A income tax franchise as a public officer engaged in a statutory "trade or business" as defined in 26 U.S.C. § 7701(a)(26) while doing business on federal territory in the statutory "United States" defined geographically in 26 U.S.C. § 7701(a)(9) and (a)(10) as the District of Columbia and excluding the constitutional states of the Union which I presently inhabit.

This letter represents an honest attempt under the Beard Test to comply with the requirements of civil law applicable only to domiciliaries of the statutory geographical "United States" per Federal Rule of Civil Procedure 17(b), which I am not:

1. *It must purport to be a return.*
2. *It must contain enough information to calculate a tax liability (even \$0 is a tax liability for these purposes, just as 0 counts as a number) and*
3. *It must contain some affirmation of the correctness of the return (we seem to recall SCOTUS saying something like "magic words are not necessary" but we think the Beard Test says the return must be signed "under penalty of perjury" and*
4. *Finally it must be an honest and reasonable attempt to comply with the REQUIREMENTS of the APPLICABLE law.*

I therefore hereby certify under penalty of perjury in response that this is a NON-STATUTORY return submitted by a non-resident party with the following civil status to both the PAYMENTS involved and the ABSOLUTE OWNER of the payment, which is me:

1 I am a “nonresident alien” not engaged in “the functions of a public office” or “trade
2 or business” excise taxable franchise described in [26 U.S.C. §7701\(a\)\(26\)](#). I do not
3 consent to “effectively connect” any of my earnings to a “trade or business”.

4 My earnings are “excluded” but NOT “exempt” from STATUTORY “gross income” by
5 [26 U.S.C. §872](#) and [26 C.F.R. §1.872-2\(f\)](#) because they do not originate from either the
6 District of Columbia (statutory geographical “[United States](#)”) or from the U.S.
7 government (“[United States](#)”) federal corporation as a legal fiction.

8 I don’t need to file an income tax return or claim exemptions to reduce taxable
9 earnings because I don’t have STATUTORY “taxable income” or “gross income” under
10 the “trade or business” excise taxable franchise documented in: [The “Trade or](#)
11 [Business” Scam, Form #05.001; https://sedm.org/Forms/05-](#)
12 [MemLaw/TradeOrBusScam.pdf](#).

13 4. There are no VOLUNTARY agreements in place between myself and any third party to
14 convert my PRIVATE earnings into excise taxable PUBLIC “wages” as described in [26](#)
15 [U.S.C. §3402\(p\)](#). Any evidence you have in your possession from third parties to the
16 contrary is FALSE and a product of ILLEGAL duress by my business associates and are
17 hereby declared VOID and a product of criminal extortion. Being threatened by a business
18 associate to either be FIRED or not hired for not signing and submitting a W-4 certainly
19 counts as criminal extortion in violation of [18 U.S.C. Chapter 41](#), recruitment into peonage
20 to pay off public debt, and involuntary servitude to a third party in violation of the
21 Thirteenth Amendment and [18 U.S.C. §1589](#). The product of such a CRIME cannot serve
22 as useful evidence of any [lawful form of “consent”](#). Further, unalienable rights cannot be
23 surrendered, even WITH consent, in a geographical place protected by the constitution, so
24 any such agreements are void except where the constitution does not apply, such as on
25 federal territory or abroad, which I do not work in. Further, it is a violation of my
26 [delegation of authority order direct from God \(the Bible\)](#) to consent to such agreements as
27 His full time agent, representative, and His property. Therefore such agreements can be of
28 no binding force and effect and therefore would constitute theft of religious property and
29 a violation of the First Amendment. I can’t logically consent to give away property that
30 doesn’t belong to me but belongs to my Principal as His agent.

31 “You were **bought** [as property by God] **at a price** [by the blood of Jesus
32 **Christ**]; do not become slaves of men [and by implication a
33 GOVERNMENT of men].”
34 [1 Cor. 7:22; Bible, NKJV]

35 WHERE is separation of church and state when you need it, keeping in mind that my
36 delegation of authority order says my BODY is God’s Temple and property? 1 Cor.
37 6:19. Separation of church and state, according to the Bible, means separation of
38 PRIVATE, which is God’s, from PUBLIC, which is Caesar’s. See: [Separation Between](#)
39 [Public and Private Course, Form #12.025;](#)
40 [https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf](#).

41 5. Any payments documented on information returns in your custody for the applicable
42 reporting period are not reportable as statutory “wages” under 26 U.S.C. §3406 because:

43 5.1 All services were performed outside the “United States” per:
44 5.1.1. 26 C.F.R. §31.3121(b)-3(c)(1) in the case of Social Security.
45 5.1.2. 26 C.F.R. §31.3401(a)(6)-1(b) in the case of income tax.
46 5.2. The payer cannot unilaterally make legal determinations or conclusions about the
47 status of the payment. Only the OWNER, which is me, can. *Christiansen v. National*
48 *Savings and Trust Co.*, 683 F.2d. 520, 529 (D.C. Cir. 1982), *Langbord v. U.S.*
49 *Department of Treasury*, CIVIL ACTION No. 06-5315, at *22 (E.D. Pa. July 5, 2011),
50 and also Form #04.001 referenced later.

6.If you are in receipt of information returns for the reporting period referenced in your communication(s) such as the W-4, 1042, 1098, 1099, etc., then these reports are FALSE as described by reference in:

W-2CC: <https://sedm.org/Forms/04-Tax/3-Reporting/FormW-2CC-Cust/FormW-2CC.pdf>

1099-CC: <https://sedm.org/Forms/04-Tax/3-Reporting/Form1099-CC-Cust/Form1099-CC.pdf>

7.Because the earnings documented on the FALSE information returns are not “gross income” or “wages”, they are therefore PRIVATE property protected by the Constitution and earned by a constitutionally protected PRIVATE party, not a PUBLIC officer.

8.The submitter of these false information returns has NO STATUTORY AUTHORITY over me as a NONRESIDENT party and NO DIRECT PERMISSION from me to convert these PRIVATE earnings to PUBLIC earnings by connecting them to a civil status such as “gross income” or “taxable income” or “reportable income”, because the earnings are NOT THEIR property but MY absolutely owned exclusively private, constitutionally protected property. Therefore any records in your possession falsely representing my PRIVATE earnings as having any civil status within the Internal Revenue Code are in error and I demand IMMEDIATE correction of all such records. Failure to NOT correct your records is a criminal offense under 18 U.S.C. §§1001 and 1030 (fraud generally and in connection with computers), and 18 U.S.C. §§911 and 912 (false personation) for which I demand that you be criminally prosecuted and civilly penalized personally.

9.Any false information returns in your possession relating to the reporting period DO NOT document the CIVIL STATUS of the payment absent my consent, because the submitter is NOT AUTHORIZED to make legal determinations about:

9.1 My STATUTORY civil status as a “person”, “taxpayer”, “citizen”, “resident”, etc or

9.2 The STATUTORY civil status of my earnings as “income”, “gross income”, etc.

9.3 Whether the earnings were paid from the STATUTORY geographical “United States” per 26 U.S.C. §7701(a)(9) and (a)(10) or the “United States” federal corporation as a legal person and fiction of law.

All such determinations can only be made by the OWNER of the payment as an exercise of his First Amendment right to associate or disassociate and his/her constitutional right to contract or not contract and his right to control the use of his absolutely owned private property.

10. Since the human parties made directly liable on their worldwide income are “citizens and residents” in 26 C.F.R. §1.1-1(a), then those civil statuses must be privileges and voluntary or else slavery in violation of the Thirteenth Amendment, peonage, and even international human trafficking will be the result. I choose not to volunteer, so the only status left that does not have direct liability attached is “nonresident alien”. If those parties are actually physical and geographical parties, they would be tied to the “United States” in 26 U.S.C. §7701(a)(9) and (a)(10) as far as I can tell, and I’m not domiciled or present there or doing business there, so they can’t be me.

11. Insofar as “sources in the United States” is concerned, it appears to me that the United States in the I.R.C. is mostly referring to is the FICTIONAL corporation as a public officer and not the geography, because slavery, peonage, and human trafficking are unconstitutional and possibly even criminal everywhere in the Union and even the world, not just within a physical state protected by the Constitution. Any other interpretation would lead to an interference with the private right to contract and associate. The U.S. Supreme Court held in Downes v. Bidwell, 182 U.S. 244 (1901) and Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98 that an income tax on the District of Columbia, which is what “United States” is defined as in 26 U.S.C. §7701(a)(9) and (a)(10), is a tax upon THE GOVERNMENT and not upon the GEOGRAPHY, and extends wherever and ONLY where that GOVERNMENT extends. To claim that I am IN

1 *THIS “United States” or worst yet that I am rendering “services in THIS United States” is to*
2 *falsely claim that I am a public officer participating in an excise taxable franchise, which I am*
3 *not in this case and which the national government cannot even lawfully do within the borders*
4 *of a constitutional state per the License Tax Cases, 72 U.S. 462 (1866) without*
5 *unconstitutionally INVADING them in violation of Article 4, Section 4 of the Constitution.*

6 *12. Under common law rules, I have a right to refuse ANY and ALL “benefits”, and by*
7 *implication privileges. You are a business that only delivers ONE product: Protection. I am the*
8 *customer and I get to decide if what you offer is a “benefit”, and it isn’t so I resign as the*
9 *“customer” of your “protection racket”. A refusal to recognize that right is a trespass upon*
10 *private, constitutionally protected property. The basis of all just powers of government is*
11 *CONSENT according to the Declaration of Independence, and I DO NOT consent to receive*
12 *or to PAY FOR any “benefit”:*

13 *Invito beneficium non datur. No one is obliged to accept a benefit against*
14 *his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered*
15 *as assenting. Vide Assent.*

16 *Potest quis renunciare pro se, et suis, juri quod pro se introductum est. A*
17 *man may relinquish, for himself and his heirs, a right which was introduced*
18 *for his own benefit. See 1 Bouv. Inst. n. 83.*
19 *[Bouvier’s Maxims of Law, 1856;*
20 <https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviMaxims.htm>
21 *].*

22 *13. According to the U.S. Supreme Court, when I am incapable of receiving “benefits”, then*
23 *anything you collect outside my FOREIGN domicile in a constitutional state is “EXTORTION”*
24 *as legally defined. The states and not the national government protect private property where I*
25 *have my domicile. I don’t need you to protect me from THEM. I want THEM to protect me from*
26 *YOU and the constitution says in Article 4, Section 4, that you are INVADING the states by*
27 *trying to setup a “benefit” or “social insurance” business there not expressly authorized in the*
28 *constitution.*

29 *“The power of taxation, indispensable to the existence of every civilized*
30 *government, is exercised upon the assumption of an equivalent rendered to*
31 *the taxpayer in the protection of his person and property, in adding to the*
32 *value of such property, or in the creation and maintenance of public*
33 *conveniences in which he shares — such, for instance, as roads, bridges,*
34 *sidewalks, pavements, and schools for the education of his children. If the*
35 *taxing power be in no position to render these services, or otherwise to*
36 *benefit the person or property taxed, and such property be wholly within the*
37 *taxing power of another state, to which it may be said to owe an allegiance,*
38 *and to which it looks for protection, the taxation of such property within the*
39 *domicil of the owner partakes rather of the nature of an extortion than a tax,*
40 *and has been repeatedly held by this Court to be beyond the power of the*
41 *legislature, and a taking of property without due process of law. Railroad*
42 *Company v. Jackson, 7 Wall. 262 ; State Tax on Foreign-Held Bonds, 15*
43 *Wall. 300; Tappan v. Merchants’ National Bank, 19 Wall. 490, 499 ;*
44 *Delaware &c. R. Co. v. Pennsylvania, 198 U.S. 341, 358 . In Chicago &c.*
45 *R. Co. v. Chicago, 166 U.S. 226, it was held, after full consideration, that*
46 *the taking of private property [199 U.S. 203] without compensation was a*
47 *denial of due process within the Fourteenth Amendment. See also Davidson*
48 *v. New Orleans, 96 U.S. 97, 102; Missouri Pacific Railway v. Nebraska, 164*
49 *U.S. 403, 417; Mt. Hope Cemetery v. Boston, 158 Mass. 509, 519.”*
50 *[Union Refrigerator Transit Company v. Kentucky, 199 U.S. 194 (1905)]*

1 *“With respect to the words general welfare, I have always regarded them as*
2 *qualified by the detail of powers connected with them. To take them in a*
3 *literal and unlimited sense would be a metamorphosis of the Constitution*
4 *into a character which there is a host of proofs was not contemplated by its*
5 *creator.”*

6 **“If Congress can employ money indefinitely to the general welfare, and**
7 **are the sole and supreme judges of the general welfare, they may take**
8 **the care of religion into their own hands; they may appoint teachers in**
9 **every State, county and parish and pay them out of their public**
10 **treasury; they may take into their own hands the education of children,**
11 **establishing in like manner schools throughout the Union; they may**
12 **assume the provision of the poor; they may undertake the regulation of**
13 **all roads other than post-roads; in short, every thing, from the highest**
14 **object of state legislation down to the most minute object of police,**
15 **would be thrown under the power of Congress.... Were the power of**
16 **Congress to be established in the latitude contended for, it would**
17 **subvert the very foundations, and transmute the very nature of the**
18 **limited Government established by the people of America.”**

19 *“If Congress can do whatever in their discretion can be done by money, and*
20 *will promote the general welfare, the government is no longer a limited one*
21 *possessing enumerated powers, but an indefinite one subject to particular*
22 *exceptions.”*

23 *[James Madison. House of Representatives, February 7, 1792, On the Cod*
24 *Fishery Bill, granting Bounties]*

25 *[Using the Laws of Property to Respond to a Federal or State Tax Collection Notice, Form*
26 *#14.015; SOURCE: [https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-](https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-or-state-tax-collection-notice/)*
27 *[or-state-tax-collection-notice/](https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-or-state-tax-collection-notice/)]*
28

1 Purpose

This form is a defensive tool for use by private parties interfacing with either a government officer or government agency. Its purpose is to do all the following with respect to the Protected Party:

1. Establish and protect their sovereignty.
2. Preserve their equitable position and prevent them from becoming unequal or inferior in relation to any government or Government Actor.
3. Ensure that the Protected party cannot lawfully participate in any franchise court or be subject to the whims of any government agency or the administrative law that implements it, such as:
 4. Traffic Court.
 5. Family Court.
 6. State or federal tax Court.
7. Invoke ONLY the protections of the common law and not statutory civil law. All statutory civil law is law for government and not private human beings.
8. Ensure that Government Actors are constrained to provide the ONLY thing that the government was established for, which is to protect private property and private rights.
9. Impose an anti-franchise franchise against Government Actors that prevents the enforcement of any government franchise against the Protected Party.
10. Maintain the status of their PRIVATE property as private and prevent it from being donated to a public use, public purpose, or public office without your consent.
11. Establish, preserve, and protect the proper status within existing state and federal law.
12. Prevent the Protected Party from being victimized by the presumptions of others by defining the meaning of all words and burden of proof against the government in redefining them.
13. Keep the Protected Party disconnected from all government statutory civil law, which can lawfully regulate only Government Actors and instead impose only the common law for the protection of your rights.
14. Invoke all the same presumptions against the government that they invoke against the Protected Party and therefore turn the tables.
15. Prevent any commercial use of materials or services or interactions by Government Actor as against Protected Party.

The authority for creating and enforcing this franchise and agreement is the requirement for equal protection and equal treatment that is the foundation of the United States Constitution. It uses the government's tactics in implementing and enforcing franchises against Government Actors as a way to prevent Protected Party from being victimized by their franchises. Equal protection mandates that the government must protect the SAME method of acquiring rights for all parties.

If this agreement was initiated in connection with a government form or application submitted to the Government Actor, then:

1. All rights are reserved by the Protected Party pursuant to U.C.C. §1-308 in relation to the original government offer that is the subject of the form.
2. The original application shall be superseded from an OFFER in commerce, and replaced with this COUNTEROFFER in commerce pursuant to U.C.C. §2-209.
3. No matter what the response to this counter-offer is by the Government Actor, the response by the Government Actor to the original application or offer by the Protected Party shall be the following:

"You are not eligible for the original offer or application and we can't force you to consent to it. Your LACK OF CONSENT is the reason you are ineligible. Therefore, any third party trying to force you to apply is doing so illegally and is instigating a THEFT of your property to try to force you to participate or consent. It is an abuse of government property or franchises to offer them outside of federal territory or to people who were not ALREADY public officers in the government BEFORE making application to participate."

2 Injurious activities which constitute implied consent to this franchise and agreement

In order to enforce a civil obligation against any party under the common law, either a contract or an injury must be demonstrated.³ This section shall document injuries that give rise to consent to this contract. What all of these injuries have in common is that they are a trespass on the control or ownership of absolutely owned, constitutionally protected, private property. The intended use or benefit of the affected property gives rise to a privilege and this document explains the extent of that civil privilege.

The following harmful activities by Government Actor against Protected Party therefore constitute constructive and implied consent to this franchise agreement.

1. Activities described in the SEDM (<http://sedm.org>) Mission Statement:⁴

- 1.1. The abuse of [presumption](#) to injure the rights of sovereign Americans, in violation of due process of law and God's law found in [Numbers 15:30](#). Much of this presumption is compelled by the government by willfully dumbing-down the average Americans about legal subjects in the public (government) schools. This makes the legal profession into essentially a "priesthood" and a pagan "religion" that the average American blindly worships and obeys, without ever questioning authority. It is a supreme injustice to proceed against a person without every conclusion being based ONLY on fact and not presumption, opinion, or belief. [Click here](#) (<http://sedm.org/Forms/05-MemLaw/Presumption.pdf>) for a detailed article on this scam and sin.

"But the person who does anything presumptuously, whether he is native-born or a stranger, that one brings reproach on the LORD, and he shall be cut off from among his people."

[\[Numbers 15:30, Bible, NKJV\]](#)

*"Due Process: [. . .] If any question of fact or liability be conclusively be presumed [rather than proven with evidence] against him, **this is not due process of law [in fact, it is the OPPOSITE of due process].**"*

[Black's Law Dictionary, Sixth Edition, p. 500]

(1) [8:4993] *Conclusive presumptions affecting protected interests:*

A conclusive presumption may be defeated where its application would impair a party's constitutionally-protected liberty or property interests. In such cases, conclusive presumptions have been held to violate a party's due process and equal protection rights. [Vlandis v. Kline (1973) [412 U.S. 441](#), 449, 93 S.Ct. 2230, 2235; Cleveland Bd. of Ed. v. LaFleur (1974) [414 U.S. 632](#), 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit violates process]

[[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34](#)]

- 1.2. Public servants deceiving the public by portraying "Private Law" or special law as "Public Law". See the following for a description of this form of government and legal profession corruption:

1.2.1. *What is "law"?*, Form #05.048

<https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf>

1.2.2. *Requirement for Consent*, Form #05.003, Section 9.6

<https://sedm.org/Forms/05-MemLaw/Consent.pdf>

- 1.3. Public servants refusing to acknowledge the requirement for consent in all human interactions. [Click here](#) for an article on this subject.

³ See: *Lawfully Avoiding Government Obligations Course*, Form #12.040; <https://sedm.org/Forms/FormIndex.htm>.

⁴ See: *SEDM Articles of Mission*, Form #01.004, Section 1.3; <https://sedm.org/Forms/FormIndex.htm>.

- 1.4. Willful omissions from government websites and publications that keep the public from hearing the whole truth. The problem is not what these sources say, but what they DON'T say. The [Great IRS Hoax, Form #11.302](#) (OFFSITE LINK) contains over 2,500 pages of facts that neither the IRS nor any one in government is willing to reveal to you because it would destroy the gravy train of plunder that pays their bloated salaries and fat retirement in violation of [18 U.S.C. §208](#).
- 1.5. The abuse of "words of art" to deceive the people in both government publications and the law itself. [Click](#) (OFFSITE LINK) here for examples.
- 1.5.1. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic (OFFSITE LINK) for examples. <http://sedm.org/Forms/FormIndex.htm>
- 1.5.2. *Legal Deception, Propaganda, and Fraud*, Form #05.014-explains games to unlawfully expand legal definitions <http://sedm.org/Forms/FormIndex.htm>
- 1.5.3. *Citizenship Status v. Tax Status*, Form #10.011 -shows how STATUTORY v. CONSTITUTIONAL contexts and GEOGRAPHICAL v. LEGAL contexts are confused to usurp jurisdiction. <http://sedm.org/Forms/FormIndex.htm>
- 1.5.4. *Rules of Presumption and Statutory Interpretation*, Litigation Tool #01.006 -prevents abuse of words of art during litigation. <http://sedm.org/Forms/FormIndex.htm>
- 1.6. The lack of "equal protection of the law" in courts of justice relating to the statements and actions of public servants, whereby the IRS doesn't have to assume responsibility for its statements and actions, and yet persons who fill out tax forms can be thrown in jail and prosecuted for fraud if they emulate the IRS by being just as careless. This also includes "selective enforcement", where the DOJ positively refuses to prosecute submitters of [false information returns](#) but spends a disproportionate share of its resources prosecuting false income tax returns. They do this because they are more interested in STEALING your money than in justice. See:
- 1.6.1. *Federal Courts and IRS' Own IRM Say NOT RESPONSIBLE for its actions or its words or following its own internal procedures, Family Guardian Fellowship* <http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>
- 1.6.2. *Requirement for Equal Protection and Equal Treatment*, Form #05.033 <http://sedm.org/Forms/FormIndex.htm>
- 1.6.3. *Government Establishment of Religion*, Form #05.038 -how government establishes itself as a pagan deity and a religion by using franchises to systematically destroy the separation of powers and the requirement for equal protection <http://sedm.org/Forms/FormIndex.htm>
- 1.7. Abuses of franchises that undermine the protection of private rights by the government and the courts:
- 1.7.1. Offering or enforcing NATIONAL franchises within states of the Union or outside of the federal territory and federal domiciliaries that they are limited to. This results in the destruction of the [separation of powers](#).
- 1.7.2. Enforcing franchises, such as a " [trade or business](#)" without requiring explicit written consent in some form, such as the issuance and voluntary signing of an application for a license. [Click here](#) for details.
- 1.7.3. [Forcing non-franchisees into franchise courts against their consent](#). This is a violation of the Fifth Amendment takings clause and the prohibition against eminent domain.
- 1.7.4. Refusing to satisfy the burden of proof upon government opponents in a franchise court that the owner of the property subject to the dispute VOLUNTARILY donated it to a public use, public purpose, and public office. In other words, that all property is PRIVATE until it is **proven on the record with evidence** that the owner EXPRESSLY AND VOLUNTARILY DONATED it to PUBLIC use and thereby made it subject to government jurisdiction.
- 1.7.5. Abusing sovereign immunity to protect franchise administrators such as the IRS from [illegal enforcement of the franchise against non-franchisees](#). All franchises are PRIVATE rather than GOVERNMENTAL in nature and governments who offer them drop down to the level of ordinary persons when they offer them.
- 1.7.6. Refusing to provide a way to quit franchises or hiding forms for doing so.
- 1.7.7. PRESUMING or pretending like there is no such thing as a non-franchisee or non-taxpayer or that EVERYONE is a statutory "taxpayer". This compels people to contract with the government and interferes with their First Amendment right to legally and politically associate. See:
- Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008. <http://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
- 1.7.8. Attorney licensing, which destroys the integrity of the legal profession in its role as a check and balance when the government or especially the judiciary becomes corrupt as it is now.

1.7.9. Abuse of the federal income tax system, which is a franchise and an excise, to bribe states of the Union to give up their sovereignty, act like federal "States" and territories, and accept what amounts to federal bribes to disrespect the rights of those under their care and protection. [Click here](#) for details.

See the following for details on the above abuses:

Government Instituted Slavery Using Franchises, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

1.8. Efforts to destroy the separation of powers that is the main protection for our liberties. This results in abuses of the Court system for political, rather than legal, purposes (politicization of the courts). All of the federal courts we have now are Article IV, territorial courts that are part of the Executive, rather than the Judicial Branch of the de facto government. As such, there is no separation of powers and nothing but tyranny can result. See the following for proof of this destruction:

1.8.1. *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023- shows how lying, thieving public servants have systematically destroyed the separation of powers since the founding of this country
<http://sedm.org/Forms/FormIndex.htm>

1.8.2. *What Happened to Justice?*, Form #06.012-book which proves that we have no Judicial Branch within the federal government, and that all the existing federal courts are acting in an Article IV territorial capacity as part of the Executive, rather than Judicial, branch of the government.

<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

1.8.3. *How Scoundrels Corrupted Our Republican Form of Government, Family Guardian Fellowship* (OFFSITE LINK)-brief overview of how the separation of powers has been systematically destroyed

<http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

1.9. The abuse of the government's power to tax in order to transfer wealth between private individuals, which makes the government into a thief and a Robinhood. This includes:

1.9.1. Enforcing the tax laws against other than "public officers" of the government. [Click here](#) for details.

1.9.2. Offering government "benefits" of any kind to anyone who does not ALREADY work for the government.
[Click here](#) for details.

1.10. Corruption of our monetary system that allows the government to:

1.10.1. Counterfeit while denying to all others the right, thus creating an unconstitutional "Title of Nobility" for itself and making itself into a pagan deity, and denying the equal protection to all that is the foundation of the Constitution.

1.10.2. STEAL from the American people by diluting the value of money already in circulation.

1.10.3. Exercise undue control of banks and financial institutions that causes them to effectively become federal employment recruiters for the federal government by compelling the use of government identifying numbers for those pursuing accounts or loans.

See the following for details on this scam:

The Money Scam, Form #05.041

<http://sedm.org/Forms/FormIndex.htm>

1.11. Creating, perpetuating, condoning, or in any way protecting conflicts of financial interest within the government that cause the self-interest to undermine the requirements of the law, [EQUALITY](#), or the [protection of exclusively PRIVATE rights](#) by:

1.11.1. Making judges "taxpayers".

1.11.2. Making jurists or voters into "benefit" recipients, franchisees, and/or public officers.

1.11.3. Allowing judges to act in a POLITICAL mode within any franchise court in the Executive rather than Judicial Branch. This also violates the separation of powers.

1.11.4. Turning police officers into revenue collectors who enforce malum-prohibitum offenses that result in revenue to the state.

1.11.5. Allowing any judicial officer or witness to receive any kind of financial reward for essentially compelling someone to assume any civil status under any civil franchise, including the income tax.

1.11.6. Allowing judges to act BOTH as an Article III judge AND an Article IV judge at the same time.

1.11.7. Allowing PRIVATE citizens to appear before a franchise judge with a financial conflict of interest.

1.11.8. Making ordinary citizens ALSO into public officers in any context OTHER than as a jurist or voter. This causes income taxes to become poll taxes and disenfranchises all those who insist on remaining private.

[Click here](#) for details.

1.11.9. Constitutional states surrendering their sovereignty and agreeing to act essentially as federal territories or federal corporations in exchange for participation in national franchises such as Social Security, Medicare, etc.

1.11.10. [Governments going into debt and thereby becoming financial slaves to banks or bank cartels](#). This includes a debt-based fiat currency system such as the federal reserve.

- 1.12. Active interference with [common law remedies](#) for the protection of PRIVATE rights from abuse by Government Actors. Governments are established exclusively to protect PRIVATE rights and PRIVATE property. Any attempt to undermine such rights without the express written consent of the owner in each case is not only NOT a classical "government" function, but is an ANTI-government function that amounts to a MAFIA "protection racket". This includes but is not limited to:
- 1.12.1. Refusing to recognize or protect PRIVATE property or PRIVATE rights, the essence of which is the RIGHT TO EXCLUDE anyone and everyone from using or benefitting from the use of the property.
 - 1.12.2. PRESUMING that "a government OF THE PEOPLE, BY THE PEOPLE, and FOR THE PEOPLE" is a government in which everyone is a [public officer](#).
 - 1.12.3. Refusing to recognize or allow constitutional remedies and instead substituting STATUTORY remedies available only to [public officers](#).
 - 1.12.4. Interfering with the introduction of evidence that the court or forum is ONLY allowed to hear disputes involving [public officers in the government](#).
 - 1.1.1. PRESUMING or ASSUMING that the ownership of the property subject to dispute is QUALIFIED rather than ABSOLUTE and that the party the ownership is shared with is the government.
 - 1.12.5. Allowing government "benefit" recipients to be decision-makers in cases involving PRIVATE rights. This is a denial of a republican form of government, which is founded on impartial decision-makers. See [Sinking Fund Cases, 99 U.S. 700 \(1878\)](#).
 - 1.12.6. Interfering with or sanctioning litigants who insist on discussing the laws that have been violated in the courtroom or prohibiting jurists from reading the laws in question or accessing the law library in the courthouse while serving as jurists. This transforms a society of law into a society of men and allows the judge to substitute HIS will in place of what the law expressly requires.
 - 1.12.7. Illegally and unconstitutionally invoking the Declaratory Judgments Act or the Anti Injunction Act as an excuse to NOT protect PRIVATE rights from government interference in the case of EXCLUSIVELY PRIVATE [people who are NOT statutory "taxpayers"](#). See [Flawed Tax Arguments to Avoid, Form #08.004, Sections 8.22 and 8.12](#).
 - 1.12.8. Interfering with ways to change or correct your citizenship or statutory status in government records. That "status" is the "res" to which all franchise rights attach, usually ILLEGALLY.
- 1.13. Efforts to define the word "[justice](#)" in the context of secular law to mean anything OTHER than the right to be left alone and the obligation to provide a remedy for demonstrated injury AFTER the injury occurs. See: [What is "Justice"?, Form #05.050](#). All such efforts result in INJUSTICE and promote violations of the constitution.
2. Specific actions which implement some aspect of the above injurious activities which are not expressly mentioned above:
- 2.1. Refusing to provide a form, statute, regulation, and/or administrative procedure to quit any and all franchises or privileges offered by the government or interfering with people who try to quit informally.
 - 2.2. Refusing to issue NONRESIDENT ID in which:
 - 2.2.1. The applicant has no government identifying number and/or franchise mark such as an SSN or TIN.
 - 2.2.2. The applicant has no civil status such as "citizen", "resident", "driver", etc.
 - 2.3. Involuntarily "electing" private parties into public office by filing FALSE information returns against them and/or refusing to prosecute those who do. See:

[Correcting Erroneous Information Returns, Form #04.001](#)
<https://sedm.org/Forms/FormIndex.htm>
 - 2.4. Forcing people to assume a privileged civil statutory status such as "taxpayer" in order to get monies returned to them that were withheld illegally and under duress. The constitutional alone ought to be enough to do that and justice should NEVER be a "privilege" and if it is a privilege, it becomes INJUSTICE. See:
 - 2.4.1. *What is "Justice"?*, Form #05.050
<https://sedm.org/Forms/FormIndex.htm>
 - 2.4.2. *Policy Document: IRS Fraud and Deception About the Statutory Word "Person"*, Form #08.023
<https://sedm.org/Forms/FormIndex.htm>
 - 2.4.3. *Who Are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?*, Form #05.013
<https://sedm.org/Forms/FormIndex.htm>
 - 2.5. Invoking economic sanctions, liens, levies, or interference with commerce or travel, whether directly by the government or indirectly through private third parties, against anyone who does not consent to assume a PUBLIC privileged or statutory civil status or the benefits or obligations attached to the status on any type of government form, and especially passports and tax withholding paperwork such as the Forms W4, W-8, and W-9. Interference with commerce is a criminal offense. Such civil statuses include:
 - 2.5.1. "person" (under the civil code).
 - 2.5.2. "taxpayer" (under the tax code).

- 2.5.3. "citizen".
2.5.4. "resident".
2.5.5. "driver" (under the vehicle code).
2.5.6. "Employee". See IRS form W-4 and 26 U.S.C. §3401.
2.5.7. "U.S. person".
2.5.8. Anything connected with government identifying numbers, which are "franchise marks" according to the Federal Trade Commission (F.T.C.) Franchise Compliance Guide.

The result of the above is criminal identity theft, HUMAN TRAFFICKING, and SLAVERY, an international crime. Examples of the above include, but are not limited to, refusal to complete a commercial transaction, not hiring, or firing people, ticketing people operating private conveyances, etc who want but do not have a PRIVATE ID or who cannot GET private nonresident ID because of government discrimination. Details on identity theft are found at:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/FormIndex.htm>

- 2.6. SCAMS with government forms or correspondence which connect nonresident parties using them illegally to government franchises and offices domiciled on federal territory.
- 2.6.1. Abusing Barnum Statements to deceive those using government forms or receiving government correspondence into falsely believing that they are privileged public officers or fictions of law.
- 2.6.2. Not providing forms for non-franchisees or specific statuses on government forms which recognize the right to either QUIT or not join government franchises.
- 2.6.3. Using perjury statements on government forms that place state of the Union applicants into the WRONG jurisdiction on federal territory in violation of 28 U.S.C. §1746.
- 2.6.4. Interfering with efforts by nonresident state domiciled parties to invoke the correct perjury statement on government forms under 28 U.S.C. §1746.
- 2.6.5. Using "permanent address" instead of "domicile" to replace human beings with privileged "resident" fictions of law so they are forced to waive their rights.
- 2.6.6. Imputing or allowing any civil statutory status to be assigned to nonresident parties in states of the Union.
- 2.6.7. Interfering with attempts by applicants using government forms or recipients of government correspondence to correctly define "words of art" to exclude jurisdiction over them.
- 2.6.8. Refusing to accept CUSTOM forms that correctly add nonresident or non-participant status to all government franchises, including Social Security, driver licensing, etc.
- 2.6.9. Abusing equivocation and obfuscation of terms on government forms to recruit people unknowingly and without their express consent into government franchises Such terms include
- 2.6.9.1. "United States".
2.6.9.2. "State".
2.6.9.3. "citizen".
2.6.9.4. "resident".
2.6.9.5. "U.S. citizen".
2.6.9.6. "U.S. resident".
2.6.9.7. "Employee"

See:

Legal Deception, Propaganda, and Fraud, Form #05.014, Section 13.4
<https://sedm.org/Forms/FormIndex.htm>

Methods of equivocation which deceive extraterritorial or nongovernment parties to participate are documented in:

Legal Deception, Propaganda, and Fraud, Form #05.014, Sections 15 and 16
<https://sedm.org/Forms/FormIndex.htm>

- 2.6.10. Using ambiguous citizenship terms on government forms. See:

Avoiding Traps in Government Forms Course, Form #12.023
<https://sedm.org/Forms/FormIndex.htm>

- 2.6.11. Assigning Citizenship Status Profile (CSP) Codes of STATUTOTY or TERRITORIAL citizens to those in constitutional states, and/or hiding the meaning of the codes. See:
- 2.6.11.1. Why You Are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Section 14.13
<https://sedm.org/Forms/FormIndex.htm>
- 2.6.11.2. Social Security Admin FOIA for CSP Code Values, SEDM Exhibit 01.011
<https://sedm.org/Exhibits/ExhibitIndex.htm>

The above are described in:

- 2.7. Efforts to destroy the separation of powers by making human beings public officers simultaneously of both the NATIONAL government and the STATE government. This happens in the case of:
- 2.7.1. Income tax. “Taxpayers” are NATIONAL public officers and STATE public officers at the same time in the case of the “trade or business” franchise under 26 U.S.C. §7701(a)(26).⁵ It is unconstitutional and even criminal in some states to simultaneously do so because it represents a criminal financial conflict of interest.
- 2.7.2. Driver licensing. “Drivers” must have NATIONAL identifying numbers as a NATIONAL officer, and yet are subject to enforcement as STATE officers under the VEHICLE code at the same time.
- 2.8. Abuse of the civil statutory codes:⁶
- 2.8.1. Calling civil statutes which impose civil obligations “law” rather than PRIVATE LAW or SPECIAL LAW or PATRONAGE that they are or treating them as if they can be enforced WITHOUT satisfying the burden of proving EXPLICIT written consent in some form.
- 2.8.2. Enforcing any civil statute involving obligations of any kind not connected to a proven injury without proof on the record of EXPLICIT written consent of the obligor BEFORE enforcement begins.
- 2.9. Court corruption⁷:
- 2.9.1. Abuse of “words of art” in court rulings or pleadings filed by government prosecutors to effectively kidnap nonresident private parties into federal jurisdiction or civil statutory jurisdiction as described in:
- Legal Deception, Propaganda, and Fraud*, Form #05.014, Sections 15 and 16
<https://sedm.org/Forms/FormIndex.htm>
- 2.9.2. Hiding the law from juries by:
- 2.9.2.1. Barring access to the courthouse library.
- 2.9.2.2. Refusing to allow or even sanctioning defendants who want to read the law in front of the jury.
- 2.9.2.3. Refusing to allow prisoners access to the full written law in the jailhouse library to get themselves out of jail.
- 2.9.2.4. Telling jurists who ask to see the law “We can’t allow that because the law might confuse the jury so they can’t hear it”.
- 2.9.3. Refusing to allow jurists to rule on BOTH the FACTS and the LAW as Thomas Jefferson said they MUST in cases where the judge has a criminal financial conflict of interest, such as income tax cases.
- 2.9.4. Federal judges not domiciled on federal territory within their district, which is a high misdemeanor per the Judicial Code of 1940.
- 2.9.5. Federal jurists not domiciled on federal territory as they must be in order to come from the proper vicinage in the case of federal civil law as required by Federal Rule of Civil Procedure 17.
- 2.9.6. Making any case against the government unpublished to protect government wrongdoing and even encourage it to become systemic.⁸
- 2.9.7. Enforcing any federal civil statute in OTHER than a Constitution Article III court, such as an Article I or Article IV court.
- 2.9.8. Invoking official, judicial, or sovereign immunity to prevent CONSTITUTIONAL or COMMON LAW challenges to any of the activities documented herein or not permitting the Protected Party to assert the SAME immunity against the government.
- 2.9.9. Allowing removals from state to federal court for any case NOT involving federal property that is the subject of the proceeding under Article 4, Section 3, Clause 2. State courts are charged with protecting PRIVATE property using the state constitution and the common law. Federal courts protect mainly PUBLIC property that is usually legislatively created by congress.
- 2.10. Extraterritorial civil statutory enforcement:
- 2.10.1. Allowing extraterritorial nonresidents to elect to have any civil statutory status.
- 2.10.2. Imputing, presuming, or enforcing civil statutory statutes against nonresident parties.
- 2.10.3. Information returns against nonresident parties.
- 2.10.4. Enforcing territorial civil statutes extraterritorially.
- 2.10.5. Offering or enforcing any franchise or privilege in any place OTHER than on absolutely owned property of the enacting power.

⁵ See: *The “Trade or Business” Scam*, Form #05.001; <https://sedm.org/Forms/FormIndex.htm>.

⁶ See: *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037; <https://sedm.org/Forms/FormIndex.htm>.

⁷ For more like these, see: *How Judges Unconstitutionally “Make Law”*, Litigation Tool #01.009; <https://sedm.org/Litigation/LitIndex.htm>.

⁸ See <http://nonpublication.com>.

- 2.11. Anarchy by government or anyone government which produces a de facto government that takes any of the following forms documented later in section 4.1.21:⁹
- 2.11.1. Are superior in any way to the people they govern UNDER THE LAW.
 - 2.11.2. Are not directly accountable to the people or the law. They prohibit the PEOPLE from criminally prosecuting their own crimes, reserving the right to prosecute to their own fellow criminals. Who polices the police? THE CRIMINALS.
 - 2.11.3. Enact laws that exempt themselves. This is a violation of the Constitutional requirement for equal protection and equal treatment and constitutes an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.
 - 2.11.4. Only enforce the law against others and NOT themselves, as a way to protect their own criminal activities by persecuting dissidents. This is called "selective enforcement". In the legal field, it is also called "professional courtesy". Never kill the goose that lays the STOLEN golden eggs.
 - 2.11.5. Break the laws with impunity. This happens most frequently when corrupt people in government engage in "selective enforcement", whereby they refuse to prosecute or interfere with the prosecution of anyone in government. The Department of Justice (D.O.J.) or the District Attorney are the most frequent perpetrators of this type of crime.
 - 2.11.6. Are able to choose which laws they want to be subject to, and thus refuse to enforce laws against themselves. The most frequent method for this type of abuse is to assert sovereign, official, or judicial immunity as a defense in order to protect the wrongdoers in government when they are acting outside their delegated authority, or outside what the definitions in the statutes EXPRESSLY allow.
 - 2.11.7. Impute to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess "supernatural" powers. By "supernatural", we mean that which is superior to the "natural", which is ordinary human beings.
 - 2.11.8. Claim and protect their own sovereign immunity, but refuse to recognize the same EQUAL immunity of the people from whom that power was delegated to begin with. Hypocrites.
 - 2.11.9. Abuse sovereign immunity to exclude either the government or anyone working in the government from being subject to the laws they pass to regulate everyone ELSE'S behavior. In other words, they can choose WHEN they want to be a statutory "person" who is subject, and when they aren't. Anyone who has this kind of choice will ALWAYS corruptly exclude themselves and include everyone else, and thereby enforce and implement an unconstitutional "Title of Nobility" towards themselves. On this subject, the U.S. Supreme Court has held the following:

"No man in this country [including legislators of the government as a legal person] is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property by force, his estate seized and converted to the use of the government without any lawful authority, without any process of law, and without any compensation, because the president has ordered it and his officers are in possession? If such be the law of this country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights," 106 U.S., at 220, 221.
[United States v. Lee, 106 U.S. 196, 1 S.Ct. 240 (1882)]

- 2.11.10. Have a monopoly on anything, INCLUDING "protection", and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the "privilege" of being able to even exist or earn a living to support oneself.
- 2.11.11. Can tax and spend any amount or percentage of the people's earnings over the OBJECTIONS of the people.
- 2.11.12. Can print, meaning illegally counterfeit, as much money as they want to fund their criminal enterprise, and thus to be completely free from accountability to the people.

⁹ See: *De Facto Government Scam*, Form #05.043; <https://sedm.org/Forms/FormIndex.htm>.

- 2.11.13. Deceive and/or lie to the public with impunity by telling you that you can't trust anything they say, but force YOU to sign everything under penalty of perjury when you want to talk to them. 26 U.S.C. §6065.
- 2.12. A refusal or omission to prosecute any of the above criminal injuries by the Department of Justice of the national or state governments.

The above forms of criminal duress are further documented in:

1. Government Corruption, Form #11.401
<https://sedm.org/home/government-corruption/>
2. Government Corruption: Causes and Remedies Course, Form #12.026
<https://sedm.org/Forms/FormIndex.htm>
3. Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers, Form #02.005
<https://sedm.org/Forms/FormIndex.htm>
4. Why You Aren't Eligible for Social Security, Form #06.001
<https://sedm.org/Forms/FormIndex.htm>
5. Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number", Form #04.205
<https://sedm.org/Forms/FormIndex.htm>
6. Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
<https://sedm.org/Forms/FormIndex.htm>
7. Resignation of Compelled Social Security Trustee, Form #06.002
<https://sedm.org/Forms/FormIndex.htm>

3 Limitations Upon Delegated Authority of Protected Party

Parties are noticed that Protected Party is operating under a biblical delegation of authority order 24 hours a day 7 days a week as described below:

Delegation of Authority Order from God to Christians, Form #13.007
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

The ability to act in such a capacity derives from the First Amendment, in which acting as an agent and fiduciary of God is the essence of the "practice" of religion itself. This, in fact, is what it literally means in a biblical sense to be "in Christ":

*"Now then, **we are ambassadors for Christ, as though God were pleading through us:** we implore you on Christ's behalf, be reconciled to God."
[2 Cor. 5:20, Bible, NKJV]*

*"But God, who is rich in mercy, because of His great love with which He loved us, even when we were dead in trespasses, **made us alive together with Christ (by grace you have been saved), and raised us up together, and made us sit together[domicile] in the heavenly places in Christ Jesus,** "
[Eph. 2:4-6, Bible, NKJV]*

*"For this is the covenant that I will make with the house of Israel after those days, says the LORD: **I will put My laws in their mind and write them on their hearts; and I will be their God, and they shall be My people.**"
[Heb. 8:10, Bible, NKJV]*

*"**Therefore, my brethren, you also have become dead to the [secular CIVIL] law through the body of Christ [by shifting your legal domicile to the Kingdom of Heaven],** that you may be married to another—to Him who was raised from the dead, that we should bear fruit [as agents, fiduciaries, and trustees] to God. For when we were in the flesh, the sinful passions which were aroused by the law were at work in our members to bear fruit to death. But now we have been delivered from the law, having died to what we were held by, so that we should serve in the newness of the Spirit [and newness of the law, God's law] and not in the oldness of the letter."
[Rom. 7:4-6, Bible, NKJV]*

1 This agreement is therefore an extension of the biblical delegation of authority order executed in furtherance of that order,
2 which is also a trust indenture in which the entire Heaven and Earth are the literal corpus. See Deut. 10:14; Isaiah 45:12,
3 Psalm 89:11-13.

4 Government representatives acting within their delegation of authority order enjoy official immunity for the most part.

5 *“Government officials whose special functions or constitutional status requires complete*
6 *protection from suits for damages -- including certain officials of the Executive Branch,*
7 *such as prosecutors and similar officials, see Butz v. Economou, 438 U.S. 478, and the*
8 *President, Nixon v. Fitzgerald, ante, p. 731 -- are entitled to the defense of absolute*
9 *immunity. However, executive officials in general are usually entitled to only qualified or*
10 *good-faith immunity. The recognition of a qualified immunity defense for high executives*
11 *reflects an attempt to balance competing values: not only the importance of a damages*
12 *remedy to protect the rights of citizens, but also the need to protect officials who are*
13 *required to exercise discretion and the related public interest in encouraging the vigorous*
14 *exercise of official authority. Scheuer v. Rhodes, 416 U.S. 232. Federal officials seeking*
15 *absolute immunity from personal liability for unconstitutional conduct must bear the*
16 *burden of showing that public policy requires an exemption of that scope. Pp. 806-808.”*
17 *[Harlow Et Al. v. Fitzgerald, 457 U.S. 800 (1982)]*

18 Like government representatives, Protected Party is also operating under a delegation of authority order which is the bible,
19 rather than the enacted statutes of the secular government. God is the sovereign being represented and He wouldn't be God
20 UNLESS He had sovereign immunity. Thus, Protected Party enjoys the same sovereign immunity as his/her Principal does,
21 just as in [28 U.S.C. §2679](#) in the case of government actors.

22 The most important aspect of Protected Party's biblical delegation of authority order and trust indenture is that he/she is
23 prohibited by God from operating in any capacity OTHER than as a Merchant (U.C.C. §2-104(1)) in relation to any and every
24 so-called “government”. The Merchant, in turn, is the ONLY ONE who possesses absolutely owned private property subject
25 to sale or use on terms specified only by him/her and not the Buyer (the Government Actor under U.C.C. §2-103(1)(a)). The
26 terms of the use or sale of his/her property is an extension of his/her right to “make all needful rules respecting the territory
27 and other property” owned by him or her, just like Article 4, Section 3, Clause 2 of the USA Constitution in the case of the
28 national government. The ability to write definitions and rules that control others, in fact, DEPENDS on an ownership interest
29 in the property or right that is the subject of the definition, as described below:

- 30 1. [Ownership as the Origin of the Right to Define](https://sedm.org/ownership-as-the-origin-of-the-right-to-define/), SEDM Blog
31 <https://sedm.org/ownership-as-the-origin-of-the-right-to-define/>
32 2. [Internal Revenue Definitions are Binding Without Your Consent to the Office the Obligation Attaches To](https://sedm.org/internal-revenue-definitions-are-binding-without-your-consent-to-the-office-the-obligation-attaches-to/), SEDM
33 [https://sedm.org/internal-revenue-definitions-are-binding-without-your-consent-to-the-office-the-obligation-attaches-](https://sedm.org/internal-revenue-definitions-are-binding-without-your-consent-to-the-office-the-obligation-attaches-to/)
34 [to/](https://sedm.org/internal-revenue-definitions-are-binding-without-your-consent-to-the-office-the-obligation-attaches-to/)

35 It is beyond the scope of authority for Protected Party to donate, incumber, or transfer to any government any degree of
36 ownership or control to any government of property owned by God and managed by Protected Party as trustee under the
37 biblical delegation of authority order and trust indenture. This is also an outgrowth of the fact that PRIVATE rights that are
38 unalienable cannot be bargained away, even WITH consent of the original owner.

39 *“We hold these truths to be self-evident, that **all men are created equal, that they are***
40 ***endowed by their Creator with certain unalienable Rights**, that among these are Life,*
41 *Liberty and the pursuit of Happiness.--That to secure these rights, Governments are*
42 *instituted among Men, deriving their just powers from the consent of the governed, - “*
43 *[Declaration of Independence]*

44 *“Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”*
45 *[Black's Law Dictionary, Fourth Edition, p. 1693]*

46 This means, for instance, that:

- 47 1. All property that is the subject of this agreement is absolutely owned and exclusively private and must REMAIN so AT
48 ALL TIMES. There must be ABSOLUTE separation between PUBLIC and PRIVATE, because that is the main

reason for establishing government to begin with: The protection of PRIVATE property. Any attempt to break down that separation denies the main benefit of the constitution: Private property. It also violates the fiduciary duty of public officers to protect private property. See:

Separation Between Public and Private Course, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

2. Protected Party is exercising no degree of agency or office on behalf of the employer of Government Actor and thus is private and completely unregulated by civil statutes. No man can serve TWO masters, Matt. 6:24.
3. No civil statutes regulate or limit this agreement, because PUBLIC property or moities shared with any government are not involved.
4. Implied consent, acquiescence, equitable estoppel, or sub silentio is impossible in modifying this agreement. See:
Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "estoppel"
<https://famguardian.org/TaxFreedom/CitesByTopic/estoppel.htm>
5. All agreements must be in writing consistent with the delegation of authority order.
6. Choice of forum and even law used to protect the property that is the subject of this agreement is exclusively at the discretion of Private Party and never Government Actor.

This agreement cannot and does not limit liability of Protected Party for damages or consequences of violating CRIMINAL statutes enacted by any government because enforcement of such laws against a suspect do not depend on consent of the perpetrator. Thus, this agreement is not intended to promote anarchy or lawlessness in any form. In fact, it is primarily intended to ELIMINATE the GOVERNMENT lawlessness described in the following document:

1. *Your Irresponsible, Lawless, and Anarchist Beast Government*, Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>
2. *Government Corruption*, Form #11.401
<https://sedm.org/home/government-corruption/>
3. *Problems with Atheistic Anarchism*, Form #08.020
 - 3.1. VIDEO: <http://youtu.be/n883Ce11ML0>
 - 3.2. SLIDES: <https://sedm.org/Forms/08-PolicyDocs/ProbsWithAtheistAnarchism.pdf>

More on the subject of unalienable rights that cannot be voluntarily surrendered by Protected Party, even WITH consent, at:

1. *Enumeration of Inalienable Rights*, Form #10.002
<https://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
2. *Unalienable Rights Course*, Form #12.038
<https://sedm.org/LibertyU/UnalienableRights.pdf>

4 Definitions and Rules of Construction and Interpretation¹⁰

This section is a defense against the following fraudulent tactics by those in government:

1. *Foundations of Freedom Course*, Form #12.021, Video 4: Willful Government Deception and Propaganda
https://www.youtube.com/watch?v=hPWMfa_oD-w
2. *Legal Deception, Propaganda, and Fraud*, Form #05.014
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>
3. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017
<https://sedm.org/Forms/05-MemLaw/Presumption.pdf>
4. *The Beginning of Wisdom is to Call Things By Their Proper Names*, Stefan Molyneux
<https://lbry.tv/@freedomain:b/the-beginning-of-wisdom-is-to-call>
5. *Mirror Image Rule*
<http://www.youtube.com/embed/j8pgbZV757w>

The biblical reason for this section is explained in the following videos:

¹⁰ Source: *Sovereignty and Freedom Points and Authorities*, Litigation Tool #10.018, Section 1; <https://sedm.org/Litigation/LitIndex.htm>.

1. [O'Reilly Factor, April 8, 2015](https://sedm.org/Media/20150408_1958-The_O'Reilly_Factor-Dealing%20with%20slanderous%20liberals%20biblically-Everett%20Piper.mp4), John Piper of the Oklahoma Wesleyan University
https://sedm.org/Media/20150408_1958-The_O'Reilly_Factor-Dealing%20with%20slanderous%20liberals%20biblically-Everett%20Piper.mp4
2. [Overcoming the World 2014 Conference: Against the World](#), Ligonier Ministries. [Click here](#) for original source, minutes 15-24.
<https://sedm.org/overcoming-the-world-2014-conference-against-the-world/>
3. [Kingdom Bible Studies, Lesson 1: WHO'S WHO?-The Correct Meaning of Names](#), [Sheldon Emry Memorial Library](#)
<https://sheldonemrylibrary.famguardian.org/BibleStudyCourses/KBS-1.pdf>
4. [Kingdom Bible Studies, Lesson 2: WHO's WHO?-Understanding Word Meanings](#), [Sheldon Emry Memorial Library](#)
<https://sheldonemrylibrary.famguardian.org/BibleStudyCourses/KBS-2.pdf>
5. [Words are Our Enemies' Weapons, Part 1](#), [Sheldon Emry](#)
<http://sheldonemrylibrary.famguardian.org/CassetteTapedMessages/1976/7603a.mp3>
6. [Words are Our Enemies' Weapons, Part 2](#), [Sheldon Emry](#)
<http://sheldonemrylibrary.famguardian.org/CassetteTapedMessages/1976/7603b.mp3>
7. [Roman Catholicism and the Battle Over Words](#), Ligonier Ministries
<https://youtu.be/uxmEK1RGJQc>
8. [The Keys to Freedom](#), Bob Hamp
<https://youtu.be/rYIDRxDU5mw>

The legal purpose of these definitions is to prevent [GOVERNMENT crime](#) using words:

[Word Crimes](#), Al Yankovic
<https://youtu.be/8Gv0H-vPoDc>

The definitions in this section are MANDATORY in any interaction between either the government or any of its agents or officers and any agent or member of this ministry. The reasons why this MUST be the case are described in:

[Path to Freedom](#), Form #09.015, Sections 5.3 through 5.8
<https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>

An itemized list of definitions found in this document is located later in the following sections.

For a frequently updated online reference tool that defines all key terms used in this document from in a legal context, see the following:

[Sovereignty Forms and Instructions Online](#), Form #10.004, Cites by Topic
<https://famguardian.org/TaxFreedom/FormsInstr-Cites.htm>

As far as definitions pertaining to our website, the following definitions of terms appears in our Disclaimer, Section 4¹¹:

4.1 Definition of Specific Terms

4.1.1 Human

The word "human" means a man or woman above the age of majority, which we regard as 18 years of age. Anyone below the age of 18 is considered a "child" rather than a "human".

4.1.2 "Should", "Shall", "Must", "We Recommend"

All use of the words "should", "shall", "must", or "we recommend" on this website or in any of the interactions of this ministry with the public shall mean "may at your choice and discretion". This is similar to the government's use of the same words. See [Legal Deception, Propaganda, and Fraud, Form #05.014](#), Sections 12.4.13, 12.4.17, 12.4.19, and 12.4.26 for further details.

¹¹ See: [SEDM Disclaimer](#), Section 4, <https://sedm.org/disclaimer.htm>.

4.1.3 Private

The word "private" when it appears in front of other entity names such as "person", "individual", "business", "employee", "employer", etc. shall imply that the entity is:

1. In possession of absolute, exclusive ownership and control over their own labor, body, and all their property. In Roman Law this was called "dominium".
2. On an EQUAL rather than inferior relationship to government in court. This means that they have no obligations to any government OTHER than possibly the duty to serve on jury and vote upon voluntary acceptance of the obligations of the civil status of "citizen" (and the DOMICILE that creates it). Otherwise, they are entirely free and unregulated unless and until they INJURE the equal rights of another under the common law.
3. A "nonresident" in relation to the state and federal government.
4. Not a PUBLIC entity defined within any state or federal statutory law. This includes but is not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.
5. Not engaged in a public office, "trade or business" (per 26 U.S.C. §7701(a)(26)). Such offices include but are not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.

"PRIVATE PERSON. An individual who is not the incumbent of an office."

[Black's Law Dictionary, Fourth Edition, p. 1359]

6. Not consenting to contract with or acquire any public status, public privilege, or public right under any state or federal franchise. For instance, the phrase "private employee" means a common law worker that is NOT the statutory "employee" defined within 26 U.S.C. §3401(c) or 26 C.F.R. §301.3401(c)-1 or any other federal or state law or statute.
7. Not sharing ownership or control of their body or property with anyone, and especially a government. In other words:
 - 7.1. Ownership is not "qualified" but "absolute".
 - 7.2. There are no moities between them and the government.
 - 7.3. The government has no usufructs over any of their property.
8. Not subject to civil enforcement or regulation of any kind, except AFTER an injury to the equal rights of others has occurred. Preventive rather than corrective regulation is an unlawful taking of property according to the Fifth Amendment takings clause.
9. Not "privileged" or party to a franchise of any kind:

*"PRIVILEGE. **A right, power, franchise, or immunity held by a person or class, against or beyond the course of the law.** [. . .] That which releases one from the performance of a duty or obligation, or exempts one from a liability **which he would otherwise be required to perform, or sustain in common [common law] with all other persons.** State v. Grosnickle, 189 Wis. 17, 206 N.W. 895, 896. A peculiar advantage, exemption, or immunity. Sacramento Orphanage & Children's Home v. Chambers, 25 Cal.App. 536, 144 P. 317, 319.*

[Black's Law Dictionary, Fourth Edition, pp. 1359-1360]

*"Is it a franchise? **A franchise is said to be a right reserved to the people by the constitution, as the elective franchise. Again, it is said to be a privilege conferred by grant from government, and vested in one or more individuals, as a public office.** Corporations, or bodies politic are the most usual franchises known to our laws. In England they are very numerous, and are defined to be royal privileges in the hands of a subject. An information will lie in many cases growing out of these grants, especially where corporations are concerned, as by the statute of 9 Anne, ch. 20, and in which the public have an interest. In 1 Strange R. (The King v. Sir William Louthier,) it was held that an information of this kind did not lie in the case of private rights, where no franchise of the crown has been invaded.*

*If this is so--if in England a privilege existing in a subject, which the king alone could grant, constitutes it a franchise--in this country, under our institutions, **a privilege or immunity of a public nature, which could not be exercised without a legislative grant, would also be a franchise.**"*

[People v. Ridgley, 21 Ill. 65, 1859 WL 6687, 11 Peck 65 (Ill., 1859)]

10. The equivalent to a common law or Constitutional "person" who retains all of their common law and Constitutional protections and waives none.

*"The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places **whereby a certain individual or class of individuals was exempted from the rigor of the common law.** Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption. "*

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10; SOURCE:

http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf]

See Magill v. Browne, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583, 5584; A J. Lien, "Privileges and Immunities of Citizens of the United States," in Columbia University Studies in History, Economics, and Public Law, vol. 54, p. 31.

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE shall also be treated as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an [economic terrorist and de facto government in violation of Article 4, Section 4](#).

*"No servant [or government or biological person] can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. **You cannot serve God and mammon [government].**"*
[[Luke 16:13](#), Bible, NKJV]

4.1.4 Government

The term "government" is defined to include that group of people dedicated to the protection of purely and exclusively PRIVATE RIGHTS and PRIVATE PROPERTY that are absolutely and exclusively owned by a truly free and sovereign human being who is EQUAL to the government in the eyes of the law per the Declaration of Independence. It excludes the protection of [PUBLIC rights or PUBLIC privileges \(franchises, Form #05.030\)](#) and [collective rights \(Form #12.024\)](#) because of the tendency to subordinate PRIVATE rights to PUBLIC rights due to the CRIMINAL conflict of financial interest on the part of those in the alleged "government" (18 U.S.C. §208, 28 U.S.C. §§144, and 455). See [Separation Between Public and Private Course, Form #12.025](#) for the distinctions between PUBLIC and PRIVATE.

*"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [1] **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.** [2] **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.** [3] **and owes a fiduciary duty to the public.** [4] **It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.** **Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy.** [5]"*

[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

1

2 **FOOTNOTES:**

3 [1] *State ex rel. Nagle v. Sullivan*, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; *Jersey City*
4 *v. Hague*, 18 N.J. 584, 115 A.2d. 8.

5 [2] *Georgia Dep't of Human Resources v. Sistrunk*, 249 Ga. 543, 291 S.E.2d. 524. *A public*
6 *official is held in public trust. Madlener v. Finley (1st Dist)*, 161 Ill.App.3d. 796, 113
7 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and *revd on other*
8 *grounds* 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

9 [3] *Chicago Park Dist. v. Kenroy, Inc.*, 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181,
10 *appeal after remand (1st Dist)* 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

11 [4] *United States v. Holzer (CA7 Ill)*, 816 F.2d. 304 and *vacated, remanded on other*
12 *grounds* 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, *on remand (CA7 Ill)* 840 F.2d. 1343,
13 *cert den* 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and *(criticized on other grounds*
14 *by United States v. Osser (CA3 Pa)* 864 F.2d. 1056) and *(superseded by statute on other*
15 *grounds as stated in United States v. Little (CA5 Miss)* 889 F.2d. 1367) and *(among*
16 *conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass)*, 898
17 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

18 [5] *Chicago ex rel. Cohen v. Keane*, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, *later*
19 *proceeding (1st Dist)* 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

20 [6] *Indiana State Ethics Comm'n v. Nelson (Ind App)*, 656 N.E.2d. 1172, *reh gr (Ind App)*
21 *659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).*

22 Anything done CIVILLY for the benefit of those working IN the government at the [involuntary, enforced, coerced, or](#)
23 [compelled \(Form #05.003\)](#) expense of PRIVATE free humans is classified as [DE FACTO \(Form #05.043\)](#), non-
24 governmental, PRIVATE business activity beyond the core purpose of government that cannot and should not be protected
25 by official, judicial, or sovereign immunity. [Click here \(Form #11.401\)](#) for a detailed exposition of ALL of the illegal methods
26 of enforcement (Form #05.032) and [duress \(Form #02.005\)](#). "Duress" as used here INCLUDES:

- 27 1. Any type of [LEGAL DECEPTION, Form #05.014](#).
- 28 2. Every attempt to insulate government workers from responsibility or accountability for their false or misleading
29 statements ([Form #05.014](#) and [Form #12.021 Video 4](#)), forms, or publications ([Form #05.007](#) and [Form #12.023](#)).
- 30 3. Every attempt to offer or enforce civil franchise statutes against anyone OTHER than public officers ALREADY in the
31 government. Civil franchises cannot and should not be used to CREATE new public offices, but to add duties to
32 EXISTING public officers who are ALREADY lawfully elected or appointed.. See [Form #05.030](#).
- 33 4. Every attempt to commit identity theft by legally kidnapping [CONSTITUTIONAL state domiciled parties](#) onto federal
34 territory or into the "United States" federal corporation as public officers. [Form #05.046](#).
- 35 5. Every attempt to offer or enforce any kind of franchise within a CONSTITUTIONAL state. See [Form #05.030](#).
- 36 6. Every attempt to entice people to give up an inalienable CONSTITUTIONAL right in exchange for a franchise
37 privilege. See [Form #05.030](#).
- 38 7. Every attempt to use the police to enforce civil franchises or civil penalties. Police power can be lawfully used ONLY
39 to enforce the criminal law. Any other use, and especially for revenue collection, is akin to sticking people up at
40 gunpoint. See [Form #12.022](#).
- 41 8. Every attempt at CIVIL asset forfeiture to police in the conduct of CRIMINAL enforcement. This merely creates a
42 criminal conflict of interest in police and makes them into CIVIL revenue collectors who seek primarily their own
43 enrichment. See [Form #12.022](#).
- 44 9. Every attempt to compel or penalize anyone to declare a specific civil status on a government form that is signed under
45 penalty of perjury. That is criminal witness tampering and the IRS does it all the time.
- 46 10. Every attempt to call something voluntary and yet to refuse to offer forms and procedures to unvolunteer. This is
47 criminal FRAUD. Congressmen call income taxes voluntary all the time but the IRS refuses to even recognize or help
48 anyone who is a "nontaxpayer". See [Exhibit #05.051](#).

All of the above instances of duress place personal interest in direct conflict with obedience to [REAL law, Form #05.048](#). They are the main source of [government corruption \(Form #11.401\)](#) in the present [de facto system \(Form #05.043\)](#). The only type of enforcement by a DE JURE government that can or should be compelled and lawful is CRIMINAL or COMMON LAW enforcement where a SPECIFIC private human has been injured, not [CIVIL statutory enforcement \(a franchise, Form #05.030\)](#). Under the State Action Doctrine of the U.S. Supreme Court, everyone who is the target of CIVIL enforcement is, by definition a public officer or agent in the government and Christians are forbidden by the Bible from becoming such public officers. [Form #13.007](#).

Every type of DE JURE CIVIL governmental service or regulation MUST be voluntary and ALL must be offered the right to NOT participate on every governmental form that administers such a CIVIL program. It shall mandatorily, publicly, and NOTORIOUSLY be enforced and prosecuted as a crime NOT to offer the right to NOT PARTICIPATE in any CIVIL STATUTORY activity of government or to call a service "VOLUNTARY" but actively interfere with and/or persecute those who REFUSE to volunteer or INSIST on unvolunteering. All statements by any Government Actor or government form or publication relating to the right to volunteer shall be treated as statements under penalty of perjury for which the head of the governmental department shall be held PERSONALLY liable if false. EVERY CIVIL "benefit" or activity offered by any government MUST identify at the beginning of every law creating the program that the program is VOLUNTARY and HOW specifically to UNVOLUNTEER or quit the program. Any violation of these rules makes the activity NON-GOVERNMENTAL in nature AND makes those offering the program into a [DE FACTO government \(Form #05.043\)](#). The Declaration of Independence says that all "just powers" of government derive from the CONSENT of those governed. Any attempt to [CIVILLY enforce](#) MUST be preceded by an explicit written attempt to procure consent, to not punish those who DO NOT consent, and to not PRESUME consent by virtue of even submitting a government form that does not IDENTIFY that submission of the form is an IMPLIED [act of consent \(Form #05.003\)](#). This ensures "justice" in a constitutional sense, which is [legally defined as "the right to be left alone"](#). For the purposes of this website, those who do not consent to ANYTHING civil are referred to as ["non-resident non-persons" \(Form #05.020\)](#). An example of such a human would be a devout Christian who is acting in complete obedience to the word of God in all their interactions with anyone and everyone in government. Any attempt by a PRIVATE human to consent to any [CIVIL STATUTORY offering by any government \(a franchise, Form #05.030\)](#) is a violation of their [delegation of authority order from God \(Form #13.007\)](#) that places them OUTSIDE the protection of God under the Bible.

Under this legal definition of "government" the IDEAL and DE JURE government is one that:

1. The States cannot offer THEIR taxable franchises within federal territory and the FEDERAL government may not establish taxable franchises within the territorial borders of the states. This limitation was acknowledged by the U.S. Supreme Court in the [License Tax Cases, 72 U.S. 462 \(1866\)](#) and continues to this day but is UNCONSTITUTIONALLY ignored more by fiat and practice than by law.
2. Has the administrative burden of proof IN WRITING to prove to a common law jury of your peers that you CONSENTED in writing to the CIVIL service or offering before they may COMMENCE administrative enforcement of any kind against you. Such administrative enforcement includes, but is not limited to administrative liens, administrative levies, administrative summons, or contacting third parties about you. This ensures that you CANNOT become the unlawful victim of a [USUALLY FALSE PRESUMPTION \(Form #05.017\)](#) about your [CIVIL STATUS \(Form #13.008\)](#) that ultimately leads to [CRIMINAL IDENTITY THEFT \(Form #05.046\)](#). The decision maker on whether you have CONSENTED should NOT be anyone in the AGENCY that administers the service or benefit and should NEVER be ADMINISTRATIVE. It should be JUDICIAL.
3. Judges making decisions about the payment of any CIVIL SERVICE fee may NOT participate in ANY of the programs they are deciding on and may NOT be "taxpayers" under the I.R.C. Subtitle A Income tax. This creates a criminal financial conflict of interest that denies due process to all those who are targeted for enforcement. This sort of corruption was abused to unlawfully expand the income tax and the Social Security program OUTSIDE of their [lawful territorial extent \(Form #05.018\)](#). See [Lucas v. Earl, 281 U.S. 111 \(1930\)](#), [O'Malley v. Woodrough, 307 U.S. 277 \(1939\)](#) and later in [Hatter v. U.S., 532 U.S. 557 \(2001\)](#).
4. EVERY CIVIL service offered by any government MUST be subject to choice and competition, in order to ensure accountability and efficiency in delivering the service. This INCLUDES the minting of substance based currency. The government should NOT have a monopoly on ANY service, including money or even the postal service. All such monopolies are inevitably abused to institute duress and destroy the autonomy and sovereignty and EQUALTY of everyone else.
5. CANNOT "bundle" any service with any other in order to FORCE you to buy MORE services than you want. Bundling removes choice and autonomy and constitutes biblical "usury". For instance, it CANNOT:

- 5.1. Use "driver licensing" to FORCE people to sign up for Social Security by forcing them to provide a "franchise license number" called an SSN or TIN in order to procure the PRIVILEGE of "driving", meaning using the commercial roadways FOR HIRE and at a profit.
- 5.2. Revoke driver licenses as a method of enforcing ANY OTHER franchise or commercial obligation, including but not limited to child support, taxes, etc.
- 5.3. Use funds from ONE program to "prop up" or support another. For instance, they cannot use Social Security as a way to recruit "taxpayers" of other services or the income tax. This ensures that EVERY PROGRAM stands on its own two feet and ensures that those paying for one program do not have to subsidize failing OTHER programs that are not self-supporting. It also ensures that the government MUST follow the SAME free market rules that every other business must follow for any of the CIVIL services it competes with other businesses to deliver.
- 5.4. Piggyback STATE income taxes onto FEDERAL income taxes, make the FEDERAL government the tax collector for STATE TAXES, or the STATES into tax collectors for the FEDERAL government.
6. Can lawfully enforce the CRIMINAL laws without your express consent.
7. Can lawfully COMPEL you to pay for BASIC SERVICES of the courts, jails, military, and ROADS and NO OTHERS. EVERYONE pays the same EQUAL amount for these services.
8. Sends you an ITEMIZED annual bill for CIVIL services that you have contracted in writing to procure. That bill should include a signed copy of your consent for EACH individual CIVIL service or "social insurance". Such "social services" include anything that costs the government money to provide BEYOND the BASIC SERVICES, such as health insurance, health care, Social Security, Medicare, etc.
9. If you do not pay the ITEMIZED annual bill for the services you EXPRESSLY consented to, the government should have the right to collect ITS obligations the SAME way as any OTHER PRIVATE human. That means they can administratively lien your real or personal property, but ONLY if YOU can do the same thing to THEM for services or property THEY have procured from you either voluntarily or involuntarily. Otherwise, they must go to court IN EQUITY to collect, and MUST produce evidence of consent to EACH service they seek payment or collection for. In other words, they have to follow the SAME rules as every private human for the collection of CIVIL obligations that are in default. Otherwise, they have superior or supernatural powers and become a pagan deity and you become the compelled WORSHIPPER of that pagan deity. See [Socialism: The New American Civil Religion, Form #05.016](#) for details on all the BAD things that happen by turning government into such a CIVIL RELIGION.

Jesus described the above de jure government as follows. He is implying that Christians cannot consent to any government that rules from above or has superior or supernatural powers in relation to biological humans. In other words, the government Christians adopt or participate in or subsidize CANNOT function as a religion as described in [Socialism: The New American Civil Religion, Form #05.016](#):

"You know that the rulers of the Gentiles [unbelievers] lord it over them [govern from ABOVE as pagan idols] , and those who are great exercise authority over them [supernatural powers that are the object of idol worship]. Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant [serve the sovereign people from BELOW rather than rule from above]. And whoever desires to be first among you, let him be your slave—just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."
[\[Matt. 20:25-28, Bible, NKJV\]](#)

For documentation on HOW to implement the above IDEAL or DE JURE government by making MINOR changes to existing foundational documents of the present government such as the Constitution, see:

[Self Government Federation: Articles of Confederation, Form #13.002](#)
<http://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

4.1.5 Civil Status

The term "[civil status](#)" describes the process by which human beings become "persons" under civil statutory law. It is what the courts call a "[res](#)" which gives them civil control over you under one of three different systems of civil law. Civil status is VERY important, because it is the source of civil statutory jurisdiction of courts over you and their right to "personal jurisdiction" over you. It also describes how your actions affect "choice of law" and your "status" in any court cases you bring. Human beings who are "sovereign" in fact:

1. Have no "[civil status](#)" under statutory law.

- 1 2. Only have a “[civil status](#)” under the constitution and the common law.
- 2 3. Are not party to the “social compact”, but “foreigners” among citizens. The Law of Nations, Book 1, Section 213 calls
- 3 them “inhabitants”.
- 4 4. Are not privileged “aliens”.
- 5 5. Participate in NO government franchises or privileges, but instead reserve all their PRIVATE, UNALIENABLE rights
- 6 (Form #12.038) and thereby remain exclusively private. See Form #05.030.
- 7 6. Were described as “idiots” under early Greek law. See:
- Are You an “Idiot”?*, Sovereignty Education and Defense Ministry (SEDM)
<https://sedm.org/are-you-an-idiot-we-are/>
- 8 7. Understand the distinctions between PUBLIC and PRIVATE and maintain absolute separation between the two in all
- 9 their interactions with any so-called “government”. They ensure that all of their property remains absolutely owned and
- 10 exclusively private. Thus, they can control and dictate all uses and everyone who wants to take or control it. See:
- Separation Between Public and Private Course*, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>
- 11 8. Civilly govern themselves without external interference, except possibly of common law and criminal courts.
- 12 9. Replace the civil statutory protection franchise with private contracts and franchises of their own for everyone they do
- 13 business with, thus rendering “civil services” on the part of organized governments irrelevant and unnecessary. For a
- 14 definition of “civil services”, see the definition in our Disclaimer, Section 4.6. In that sense they have FIRED the
- 15 government from a civil perspective and retain all of their God given inalienable rights. All rights reserved, U.C.C.
- 16 §1-308.
- 17 10. Are governed mainly by the “civil laws” found in the Holy Bible. This is a protected First Amendment right to practice
- 18 their religion.
- Laws of the Bible*, Litigation Tool #09.001
<https://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>

19 You cannot have a “[civil status](#)” under the laws of a place WITHOUT at least one of the following conditions:

- 20 1. A physical presence in that place. The status would be under the COMMON law. Common law is based on physical
- 21 location of people on land rather than their statutory status.
- 22 2. CONSENSUALLY doing business in that place. The status would be under the common law. See the Foreign
- 23 Sovereign Immunities Act, 28 U.S.C. Chapter 97 and International Shoe Co. v. Washington, 326 U.S. 310 (1945).
- 24 3. A domicile in that place. This would be a status under the civil statutes of that place. See Federal Rule of Civil
- 25 Procedure 17(a).
- 26 4. CONSENSUALLY representing an artificial entity (a legal fiction) that has a domicile in that place. This would be a
- 27 status under the civil statutes of that place. See Federal Rule of Civil Procedure 17(b).
- 28 5. Consenting to a civil status under the laws of that place. Anything done consensually cannot form the basis for an
- 29 injury in a court of law. Such consent is usually manifested by filling out a government form identifying yourself with
- 30 a specific statutory status, such as a W-4, 1040, driver license application, etc. This is covered in:
- Avoiding Traps in Government Forms Course*, Form #12.023
<https://sedm.org/Forms/FormIndex.htm>

31 If any of the above rules are violated, you are a victim of criminal identity theft:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

32 "civil status" is further discussed in:

- 33 1. *Civil Status (Important!)-SEDM*-Article under "Litigation->Civil Status (Important!)-SEDM on the SEDM menus
- 34 <https://sedm.org/litigation-main/civil-status/>
- 35 2. *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008
- 36 <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
- 37 3. *Proof That There Is a “Straw Man”*, Form #05.042-SEDM
- 38 <https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
- 39 4. *Legal Fictions*, Form #09.071-SEDM
- 40 <https://sedm.org/Forms/09-Procs/LegalFictions.pdf>

4.1.6 Civil Service

The term "civil service" or "civil service fee" relates to any and all activities of "government" OTHER than:

1. Police.
2. Military.
3. Jails.
4. Criminal court.
5. Common law court.

"civil service" and "civil service fee" includes any attempt or act to:

1. Establish or enforce a [domicile \(Form #05.002\)](#)
2. Procure [consent \(Form #05.003\)](#) of any kind to alienate rights that are supposed to be INALIENABLE per the Declaration of Independence.
3. PRESUME [consent \(Form #05.003\)](#) to surrender INALIENABLE PRIVATE RIGHTS by virtue of submitting, accepting, or receiving any application for a government benefit, license, or franchise. See [Form #12.023](#).
4. Convert PRIVATE property or PRIVATE rights to PUBLIC property, PUBLIC offices, or excise taxable franchises. See [Form #12.025](#). Government's FIRST and most important duty is to at all times maintain TOTAL separation between PRIVATE and PUBLIC and NEVER to allow them to convert one to another. Every attempt to convert one to the other represents a criminal financial conflict of interest that turns the PUBLIC trust into a SHAM trust.
5. Offer or enforce the civil statutory code.
6. Offer or enforce [civil franchises \(see Form #05.030\)](#)

4.1.7 Common Law

The term "common law" means procedures and policies used in constitutional courts in the JUDICIAL branch to provide protection for absolutely owned, constitutionally protected PRIVATE RIGHTS and PRIVATE PROPERTY of a human being who has accepted no franchises or privileges and therefore who is not subject to civil statutes, not domiciled in the forum, and who reserves all rights. These procedures may not be exercised in "legislative franchise courts" in the LEGISLATIVE or EXECUTIVE Branch which manage and adjudicate disputes over federal property, franchises, privileges, and "benefits". In the words of the U.S. Supreme Court, these organic rights are "self-executing" and not government created or owned. They may therefore NOT be limited, restrained, taxed, or regulated by statute:

*The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524*524 between Congress and the Judiciary. **The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.** The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, *supra*, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal, **"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"**); *id.*, at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-executing. Cf. [South Carolina v. Katzenbach, 383 U. S., at 325](#) (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary. [City of Boerne v. Flores, 521 U.S. 507 (1997)]*

It is the duty of all CONSTITUTIONAL courts in the JUDICIAL branch to provide remedy for the protection of such rights when violated, even if there is no statute authorizing a remedy. This is a consequence of the oath that all judges IN CONSTITUTIONAL COURTS take to "support and defend the constitution against all enemies, foreign and domestic",

whether state or federal. Franchise judges in the LEGISLATIVE or EXECUTIVE branch don't have to take this oath and often ACTIVELY INTERFERE with any attempt by private litigants to invoke or enforce constitutional rights. That sort of behavior would be TREASON in a CONSTITUTIONAL court. Franchise courts act in essence as binding arbitration boards for people in temporary possession, custody, or control of absolutely owned government property which is dispensed with legal strings attached called "franchises". These courts preside by the CONSENT of those who accept the property or "benefit" that the franchise court is charged with managing, such as "licenses", "permits", or government "benefits". Examples of "legislative franchise courts" include:

1. Traffic court.
2. Family court.
3. Tax Court (see 26 U.S.C. §7441).

For a detailed exposition of exactly how government franchises and franchise courts operate, see:

Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/FormIndex.htm>

Rights are property and protecting and enforcing them is an action to protect PRIVATE property in the case of CONSTITUTIONAL rights recognized but not created by the Bill of Rights. In providing judicial remedy absent statutes, the courts in effect are DEFINING the common law, because statutes CANNOT define or limit such rights:

"Under basic rules of construction, statutory laws enacted by legislative bodies cannot impair rights given under a constitution. 194 B.R. at 925. "
[In re Young, 235 B.R. 666 (Bankr.M.D.Fla., 1999)]

"The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities [within juries] and officials [and CIVIL STATUTES, Form #05.037] and to establish them as legal principles to be applied by the courts [using the COMMON LAW rather than CIVIL STATUTES, Form #05.037]. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote [of a JURY OR an ELECTOR]; they depend on the outcome of no elections."
[West Virginia Bd. of Ed. v. Barnett, 319 U.S. 624, 638 (1943); SOURCE:
https://scholar.google.com/scholar_case?case=8030119134463419441*]*

Based on the above, anything licensed, taxed, requiring a "permit", denied (the essence of ownership is the right to exclude and control the use of), or regulated by civil statute or which may be voted on by a jury or an elector or which is created or enforced by statute is NOT a CONSTITUTIONAL or a PRIVATE right and is not the proper subject of the common law. Further, anyone who tries to convince you that there IS no such thing as the common law in the context of CONSTITUTIONAL rights, or that common law proceedings can and do involve STATUTORY remedies is engaging in a conspiracy to DESTROY all of your private rights and private property. This is proven in:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<https://sedm.org/Forms/FormIndex.htm>

A failure or refusal by a judge in the judicial department to provide CONSTITUTIONAL remedy for absolutely owned PRIVATE property or PRIVATE rights is therefore, in fact and in deed:

1. An attempt to accomplish the OPPOSITE purpose for why government was created, which was to protect PRIVATE property and PRIVATE rights.
2. An attempt to denigrate, demoralize, oppress, and enslave (Thirteenth Amendment) litigants before them who are litigating against any government for a violation of those rights.
3. An attempt to maliciously abuse legal process to institute peonage and slavery in violation of 18 U.S.C. §1589.
4. A selective REPEAL of a portion of the CONSTITUTIONAL common law.
5. A selective REPEAL of the portion of the Bill of Rights that forms the STANDING of the party to sue in court.
6. A violation of the judicial oath to support and defend the Constitution against all enemies, foreign and domestic.
7. Treason punishable by death under 18 U.S.C. §2381.
8. A violation of the Separation of Powers Doctrine, because by SELECTIVELY REPEALING a portion of the

constitution or constitutional common law, they in effect are acting in a “legislative capacity” as a member of the Legislative or Executive Branch, not as judges.¹²

9. Destroying ANY and ALL possibility of freedom or liberty itself, according to the man who DESIGNED the three-branch system of Republic Government and Separation of Powers:

“When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.”

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression [sound familiar?].

There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals.”

[. . .]

In what a situation must the poor subject be in those republics! The same body of magistrates are possessed, as executors of the laws, of the whole power they have given themselves in quality of legislators. They may plunder the state by their general determinations; and as they have likewise the judiciary power in their hands, every private citizen may be ruined by their particular decisions.”

[*The Spirit of Laws*, Charles de Montesquieu, Book XI, Section 6, 1758;

SOURCE: http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm]

Further, Congress can only regulate or tax PRIVILEGES or PUBLIC rights that it created by statute, not PRIVATE rights recognized but not created by the Constitution.

Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz' recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against “encroachment or aggrandizement” by Congress at the expense of the other branches of government. *Buckley v. Valeo*, 424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a “privilege” or “public right” in this case, such as a “trade or business”], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right. FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.

[*Northern Pipeline Const. Co. v. Marathon Pipe Line Co.*, 458 U.S. 50, 102 S.Ct. 2858 (1983)]

¹² See: *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023; <https://sedm.org/Forms/FormIndex.htm>.

For more details on the CIVIL (not CRIMINAL, but CIVIL) power to tax or regulate only public rights (public property) that Congress created by statute and therefore ABSOLUTELY OWNS and CONTROLS as property, see:

Hierarchy of Sovereignty: The Power to Create is the Power to Tax, Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>

The basic rules of the common law are documented in the following exemplary books published near the turn of the Twentieth Century and many others, and thus are WRITTEN. These rules have not been REPEALED, but rather fallen out of use because of censorship by covetous Pharisee lawyers trying to convert ALL property to government property so they could STEAL it and harvest it for their personal benefit¹³:

1. *Handbook of Common Law Pleading*, Benjamin Shipman (48 MB)-
http://famguardian.org/Publications/CommonLawPractice/Hand_book_of_Common_law_Pleading.pdf
2. *Handbook of Common Law Pleading*, Joseph Koeffler (4.8 MB).
http://famguardian.org/Publications/CommonLawPractice/CL_Pleading.pdf
3. *Principles of Common Law Pleading*, John McKelvey (3.5 MB)
http://famguardian.org/Publications/CommonLawPractice/Principles_of_Common_law_Pleading.pdf
4. *Pleadings and Practice in Actions At Common Law*, Martin Burks (90.3 MB)
http://famguardian.org/Publications/CommonLawPractice/Pleading_and_Practice_in_Actions_at_Comm.pdf

In addition to the above generally accepted rules, those owning the PRIVATE property protected by the common law may ADD to these rules with their own set of rules that form the conditions of the temporary use, benefit, or control of the property so granted and protected to the person SUBJECT to those rules. We call these the Grant Rules.

Grant Rules are CIVIL rules implemented as a contract or agreement between the GRANTOR and the GRANTEE for temporarily using, controlling, or benefitting from that property. In the case of government, these rules regulating government property cannot be and are not implemented with CRIMINAL statutes. They are only implemented by CIVIL statutes. They are enforced against those who consent to those RULES by temporarily accepting or exercising custody, benefit, or control over the property in question. These rules behave, in essence, as a franchise or an excise. The OBLIGATIONS against the GRANTOR associated with the use of the granted property are the “consideration” provided by the GRANTOR and the consideration they receive in return are the temporary “RIGHTS” they exercise over the granted property. All franchises are based on “grants” of property with legal strings or conditions attached and ANYONE can grant or participate in such a franchise or use such a franchise AGAINST a government to defend themselves against GOVERNMENT unlawfully offering or enforcing THEIR franchises:

“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”
[Munn v. Illinois, 94 U.S. 113 (1876)]

An example of the use of such rules by the government against the private rights and private property is found below:

*“We have repeatedly held that the Federal Government may impose appropriate conditions on the use of federal property or privileges [franchises, Form #05.030] and may require that state instrumentalities comply with conditions [obligations, Form #12.040] that are reasonably related to the federal interest in particular national projects or programs. See, e. g., *Ivanhoe Irrigation Dist. v. McCracken*, 357 U.S. 275, 294 -296 (1958); *Oklahoma v. Civil Service Comm'n*, 330 U.S. 127, 142 -144 (1947); *United States v. San Francisco*, 310 U.S. 16 (1940); cf. *National League of Cities v. Usery*, 426 U.S. 833, 853 (1976); *Fry v. United States*, 421 U.S. 542 (1975). A requirement that States, like all other users, pay a portion of the costs of the benefits [Form #05.040] they enjoy from*

¹³ See: *Who Were the Pharisees and Saducees?*, Form #05.047; <https://sedm.org/Forms/FormIndex.htm>.

federal programs is surely permissible [meaning CONSTITUTIONAL] since it is closely related to the [435 U.S. 444, 462] federal interest in recovering costs from those who benefit and since it effects no greater interference with state sovereignty than do the restrictions which this Court has approved.”
[Massachusetts v. United States, 435 U.S. 444 (1978);
https://scholar.google.com/scholar_case?case=16842193024599209893/]

Under the concept of equal protection and equal treatment, WE TOO have an EQUAL right, recognized above by the U.S. Supreme Court in Munn v. Illinois, to attach conditions to the use or benefit or control of our property by any and all others, INCLUDING governments. To suggest otherwise is to impute or enforce superior or supernatural powers to a government and institute a civil religion in violation of the First Amendment. ALL ARE EQUAL in a free society. You are equal to the government, as President Obama implied in his First Inauguration Speech, as we prove below:

Foundations of Freedom Course, Form #12.021, Video 1: Introduction
<https://www.youtube.com/watch?v=ikf7CcT2I8I>

If you are not equal to the government and cannot use YOUR absolutely owned PRIVATE property to control THEM, then they can't use THEIR property to control you through civil franchises or statutes either. For more on the abuse of franchises by government to oppress people they are supposed to be helping, and how to use them to DEFEND yourself against such abuses, see:

1. Government Franchises Course, Form #12.012
<https://sedm.org/Forms/FormIndex.htm>
2. Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/FormIndex.htm>

Anyone who asserts that the GOVERNMENT is the only one who can absolutely own property or that government SHARES ownership or control of ALL property is indirectly advocating all of the following:

1. A violation of the main reason for creating government, which is the protection of PRIVATE rights and PRIVATE property.
2. The establishment of a state sponsored religion in violation of the First Amendment, because the government can use their control over ALL property to control ANYTHING and ANYONE. See:

Socialism: The New American Civil Religion, Form #05.016
<https://sedm.org/Forms/FormIndex.htm>

3. A violation of the Thirteenth Amendment, because there is no way to avoid the rules associated with buying or using ANY TYPE OF PROPERTY.
4. The establishment of socialism, which is government ownership or at least control over ALL property:

“Socialism *n* (1839) **1:** any of various economic and political theories advocating collective or governmental ownership and administration of the means of production and distribution of goods **2 a:** a system of society or group living in which there is no private property **b:** a system or condition of society in which the means of production are owned and controlled by the state **3:** a stage of society in Marxist theory transitional between capitalism and communism and distinguished by unequal distribution of goods and pay according to work done.”

[Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, page 1118;

SOURCE:

<https://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Evidence/Q05.010.pdf>
f]

For more information about common misconceptions about the common law propagated mainly by MISINFORMED members of the legal profession and the government, see:

Rebutted False Arguments about the Common Law, Form #08.025
<https://sedm.org/Forms/08-PolicyDocs/RebuttedFalseArgumentsAboutCommonLaw.pdf>

4.1.8 Law

The term "law" as used on this site is constrained by the following requirements:

1. It must apply equally to ALL. It cannot compel INEQUALITY of treatment between any man or class of men. See [Form #05.033](#).
2. It cannot do collectively what people individually cannot NATURALLY do. In other words, in the words of [Frederic Bastiat](#), it aggregates the individual right of self-defense into a collective body so that it can be delegated. A single human CANNOT delegate a right he does not individually ALSO possess, which indirectly implies that no GROUP of men called "government" can have any more COLLECTIVE rights under the collective entity rule than a single human being. See the following for a video on the subject.

[Philosophy of Liberty, SEDM
https://sedm.org/liberty-university/liberty-university-2-2-philosophy-of-liberty/](https://sedm.org/liberty-university/liberty-university-2-2-philosophy-of-liberty/)
3. It cannot punish a citizen for an innocent action that was not a crime or not demonstrated to produce measurable harm. The ability to PROVE such harm with evidence in court is called "standing".
4. It cannot compel the redistribution of wealth between two private parties. This is ESPECIALLY true if it is called a "tax".
5. It cannot interfere with or impair the right of contracts between PRIVATE parties. That means it cannot compel income tax withholding unless one or more of the parties to the withholding are ALREADY public officers in the government.
6. It cannot interfere with the use or enjoyment or CONTROL over private property, so long as the use injures no one. Implicit in this requirement is that it cannot FAIL to recognize the right of private property or force the owner to donate it to a PUBLIC USE or PUBLIC PURPOSE. In the common law, such an interference is called a "trespass".
7. The rights it conveys must attach to LAND rather than the CIVIL STATUS (e.g. "taxpayer", "citizen", "resident", etc.) of the people ON that land. One can be ON land within a PHYSICAL state WITHOUT being legally "WITHIN" that state (a corporation) as an [officer of the government or corporation \(Form #05.042\)](#) called a "citizen" or "resident". See:
 - 7.1. [Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008](#).
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
 - 7.2. [Foundations of Freedom Course, Form #12.021, Video 4](#) covers how LAND and STATUS are deliberately confused through equivocation in order to [KIDNAP people's identity \(Form #05.046\)](#) and transport it illegally to federal territory.
(*"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."* [Balzac v. Porto Rico, 258 U.S. 298 (1922)])
https://www.youtube.com/watch?v=hPwMfa_oD-w
8. It must provide a remedy AFTER an injury occurs. It may not PREVENT injuries before they occur. Anything that operates in a PREVENTIVE rather than CORRECTIVE mode is a franchise. There is no standing in a REAL court to sue WITHOUT first demonstrating such an injury to the PRIVATE or NATURAL rights of the Plaintiff or VICTIM.
9. It cannot acquire the "force of law" from the consent of those it is enforced against. In other words, it cannot be an agreement or contract. All franchises and licensing, by the way, are types of contracts.
10. It does not include compacts or contracts between private people and governments. Rights that are INALIENABLE cannot be contracted away, even WITH consent. See [Form #05.003](#).
11. It cannot, at any time, be called "voluntary". Congress and even the U.S. Supreme Court call the IRC Subtitle A "income tax" voluntary. See Exhibits [#05.025](#) and [#05.051](#).
12. It does not include franchises, licenses, or civil statutory codes, all of which derive ALL of their force of law from your consent in choosing a [civil domicile \(Form #05.002\)](#).

The above criteria derives from [What is "law"?, Form #05.048, Section 16](#). Any violation of the above rules is what the Bible calls "devises evil by law" in Psalm 94:20-23 as indicated above.

Roman statesman Cicero defined law as follows:

"True Law is right reason in agreement with Nature, it is of universal application, unchanging and everlasting; it summons to duty by its commands and averts from wrongdoing by its prohibitions. And it does not lay its commands or prohibitions upon good men in vain, although neither have any effect upon the wicked. It is a sin to try to alter this law, nor is it allowable to try to repeal a part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by Senate or People, and we need not look outside

ourselves for an expounder or interpreter of it. And there will not be different laws at Rome or at Athens, or different laws now and in the future, but one [eternal and unchangeable law](#) will be valid for all times and all nations, and there will be one master and one rule, that is God, for He is the author of [this law](#), its promulgator, and its enforcing judge.”
[Marcus Tullius Cicero, 106-43 B.C.]

“Power and law are not synonymous. In truth, they are frequently in opposition and irreconcilable. There is [God’s Law](#) from which [all equitable laws of man](#) emerge and by which men must live if they are not to die in oppression, chaos and despair. Divorced from [God’s eternal and immutable Law](#), established before the founding of the suns, man’s power is evil no matter the noble words with which it is employed or the motives urged when enforcing it. Men of good will, mindful therefore of the [Law laid down by God](#), will oppose governments whose rule is by men, and if they wish to survive as a nation they will destroy the [\[de facto\] government](#) which attempts to adjudicate by the whim of venal judges.”
[Marcus Tullius Cicero, 106-43 B.C.]

“Law” is defined to EXCLUDE any and all [civil statutory codes, franchises, or privileges](#) in relation to any and all governments and to include ONLY the COMMON law, the CONSTITUTION (if trespassing Government Actors ONLY are involved), and the CRIMINAL law.

The Court developed, for its own governance in the cases confessedly within its jurisdiction, a series of rules under which it has avoided passing upon a large part of all the constitutional questions pressed upon it for decision. They are:

[. . .]

6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits. [FN7 Great Falls Mfg. Co. v. Attorney General, 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; Wall v. Parrot Silver & Copper Co., 244 U.S. 407, 411, 412, 37 S.Ct. 609, 61 L.Ed. 1229; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.](#)

FOOTNOTES:

[FN7 Compare Electric Co. v. Dow, 166 U.S. 489, 17 S.Ct. 645, 41 L.Ed. 1088; Pierce v. Somerset Ry., 171 U.S. 641, 648, 19 S.Ct. 64, 43 L.Ed. 316; Leonard v. Vicksburg, etc., R. Co., 198 U.S. 416, 422, 25 S.Ct. 750, 49 L.Ed. 1108.](#)
[Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 (1936)]

Municipal law, thus understood, is properly defined to be "a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong."

[. . .]

*It is also called a rule to distinguish it from a compact or agreement; **for a compact is a promise proceeding from us, law is a command directed to us.** The language of a compact is, "I will, or will not, do this"; that of a law is, "thou shalt, or shalt not, do it." It is true there is an obligation which a compact carries with it, equal in point of conscience to that of a law; but then the original of the obligation is different. **In compacts we ourselves determine and promise what shall be done, before we are obliged to do it; in laws, we are obliged to act without ourselves determining or promising anything at all.** Upon these*

accounts law is defined to be "a rule."
[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound,
1925, p. 4]

"The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places **whereby a certain individual or class of individuals was exempted from the rigor of the common law.** Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption."

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;

SOURCE:

http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf

FOOTNOTES:

See Magill v. Browne, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583, 5584; A J. Lien, "Privileges and Immunities of Citizens of the United States," in Columbia University Studies in History, Economics, and Public Law, vol. 54, p. 31.

"What, then, is [civil] legislation? It is an assumption [presumption] by one man, or body of men, of absolute, irresponsible dominion [because of abuse of sovereign immunity and the act of "CONSENT" by calling yourself a "citizen"] over all other men whom they call subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of a right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the principle of human rights, the principle of justice itself, from off the earth, and set up their own personal will [society of men and not law], pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as human [CIVIL] legislation that is obligatory upon those upon whom it is imposed [and ESPECIALLY those who never expressly consented in writing]."

[Natural Law, Chapter 1, Section IV, Lysander Spooner;

SOURCE:

<http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NaturalLaw.htm>

The above methods of REMOVING the protections of the common law and the constitution from the INALIENABLE rights [rights that CANNOT lawfully be given away, even WITH consent] that are protected by them has been described by the U.S. Congress as the ESSENCE of communism itself! This is especially true when you add games with legal words of art to remove even the STATUTORY limitations upon the conduct of the government. See Legal Deception, Propaganda, and Fraud, Form #05.014.

TITLE 50 > CHAPTER 23 > SUBCHAPTER IV > Sec. 841.
Sec. 841. - Findings and declarations of fact

1 The Congress finds and declares that the Communist Party of the United States [consisting
2 of the IRS, DOJ, and a corrupted federal judiciary], although purportedly a political
3 party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government
4 of the United States [and replace it with a de facto government ruled by the judiciary]. It
5 constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in
6 collusion] within a [constitutional] republic, demanding for itself the rights and
7 [FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in
8 violation of Article 1, Section 9, Clause 8 of the Constitution] accorded to political parties,
9 but denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form
10 #10.002]. Unlike political parties, which evolve their policies and programs through
11 public means, by the reconciliation of a wide variety of individual views, and submit those
12 policies and programs to the electorate at large for approval or disapproval, the policies
13 and programs of the Communist Party are secretly [by corrupt judges and the IRS in
14 complete disregard of, Form #05.014, the tax franchise "codes", Form #05.001]
15 prescribed for it by the foreign leaders of the world Communist movement [the IRS and
16 Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by
17 the framing of Congressman Traficant] have no part in determining its goals, and are not
18 permitted to voice dissent to party objectives. Unlike members of political parties, members
19 of the Communist Party are recruited for indoctrination [in the public FOOL system by
20 homosexuals, liberals, and socialists] with respect to its objectives and methods, and are
21 organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into
22 action slavishly the assignments given them by their hierarchical chieftains. Unlike
23 political parties, the Communist Party [thanks to a corrupted federal judiciary]
24 acknowledges no constitutional or statutory limitations upon its conduct or upon that of
25 its members [ANARCHISTS!, Form #08.020]. The Communist Party is relatively small
26 numerically, and gives scant indication of capacity ever to attain its ends by lawful political
27 means. The peril inherent in its operation arises not from its numbers, but from its failure
28 to acknowledge any limitation as to the nature of its activities, and its dedication to the
29 proposition that the present constitutional Government of the United States ultimately
30 must be brought to ruin by any available means, including resort to force and violence
31 [or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign
32 power [the Federal Reserve and the American Bar Association (ABA)] renders its
33 existence a clear present and continuing danger to the security of the United States. It
34 is the means whereby individuals are seduced [illegally KIDNAPPED via identity theft!,
35 Form #05.046] into the service of the world Communist movement [using FALSE
36 information returns and other PERJURIOUS government forms, Form #04.001],
37 trained to do its bidding [by FALSE government publications and statements that the
38 government is not accountable for the accuracy of, Form #05.007], and directed and
39 controlled [using FRANCHISES illegally enforced upon NONRESIDENTS, Form
40 #05.030] in the conspiratorial performance of their revolutionary services. Therefore,
41 the Communist Party should be outlawed

42 The above corruption of our Constitutional Republic by the unconstitutional abuse of franchises, the violation of the rules of
43 statutory construction, and interference with common law remedies was described by the U.S. Supreme Court as follows:

44 "These are words of weighty import. They involve consequences of the most momentous
45 character. I take leave to say that if the principles thus announced should ever receive
46 the sanction of a majority of this court, a radical and mischievous change in our system
47 of government will be the result. We will, in that event, pass from the era of constitutional
48 liberty guarded and protected by a written constitution into an era of legislative
49 absolutism.

50 Although from the foundation of the Government this court has held steadily to the view
51 that the Government of the United States was one of enumerated powers, and that no one
52 of its branches, nor all of its branches combined, could constitutionally exercise powers
53 not granted, or which were not necessarily implied from those expressly granted, Martin
54 v. Hunter, 1 Wheat. 304, 326, 331, we are now informed that Congress possesses powers
55 outside of the Constitution, and may deal with new territory, 380*380 acquired by treaty

or conquest, in the same manner as other nations have been accustomed to act with respect to territories acquired by them. In my opinion, Congress has no existence and can exercise no authority outside of the Constitution. Still less is it true that Congress can deal with new territories just as other nations have done or may do with their new territories. This nation is under the control of a written constitution, the supreme law of the land and the only source of the powers which our Government, or any branch or officer of it, may exert at any time or at any place. Monarchical and despotic governments, unrestrained by written constitutions, may do with newly acquired territories what this Government may not do consistently with our fundamental law. To say otherwise is to concede that Congress may, by action taken outside of the Constitution, engraft upon our republican institutions a colonial system such as exists under monarchical governments. Surely such a result was never contemplated by the fathers of the Constitution. If that instrument had contained a word suggesting the possibility of a result of that character it would never have been adopted by the People of the United States. The idea that this country may acquire territories anywhere upon the earth, by conquest or treaty, and hold them as mere colonies or provinces — the people inhabiting them to enjoy only such rights as Congress chooses to accord to them — is wholly inconsistent with the spirit and genius as well as with the words of the Constitution."

[Downes v. Bidwell, [182 U.S. 244](#) (1901), Justice Harlan, Dissenting]

Civil statutory codes, franchises, or privileges are referred to on this website as "private law", but not "law". The word "public" precedes all uses of "law" when dealing with acts of government and hence, refers only to COMMON law and CRIMINAL law that applies equally to everyone, regardless of [their consent](#). Involvement in any and all ["private law" franchises or privileges](#) offered by any government ALWAYS undermines and threatens sovereignty, autonomy, and [equality](#), turns government into an [unconstitutional civil religion](#), and [corrupts even the finest of people](#). This is explained in:

[Government Instituted Slavery Using Franchises, Form #05.030](#)
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

Any use of the word "law" by any Government Actor directed at us or any member, if not clarified with the words "private" or "public" in front of the word "law" shall constitute:

1. A criminal attempt and conspiracy to recruit us to be [a public officer called a "person", "taxpayer", "citizen", "resident", etc.](#)
2. A solicitation of [illegal bribes called "taxes"](#) to treat us "AS IF" we are a public officer.
3. A [criminal conspiracy to convert PRIVATE rights into PUBLIC rights](#) and to violate the Bill of Rights.

The protection of PRIVATE rights mandated by the Bill of Rights BEGINS with and requires:

1. ALWAYS keeping PRIVATE and PUBLIC rights separated and never mixing them together.
2. Using unambiguous language about the TYPE of "right" that is being protected: PUBLIC or PRIVATE in every use of the word "right". The way to avoid confusing PUBLIC and PRIVATE RIGHTS is to simply refer to PUBLIC rights as "privileges" and NEVER refer to them as "rights".
3. Only converting PRIVATE rights to PUBLIC rights with the express written consent of the HUMAN owner.
4. Limiting the conversion to geographical places where rights are NOT unalienable. This means the conversion occurred either abroad or on government territory not within the exclusive jurisdiction of a Constitutional state. Otherwise, the Declaration of Independence, which is organic law, would be violated.
5. Keeping the rules for converting PRIVATE to PUBLIC so simple, unambiguous, and clear that a child could understanding them and always referring to these rules in every interaction between the government and those they are charged with protecting.
6. Ensuring that in every interaction (and ESPECIALLY ENFORCEMENT ACTION) between the government both administratively and in court, that any right the government claims to civilly enforce against, regulate, tax, or burden otherwise PRIVATE property is proven ON THE RECORD IN WRITING to originate from the rules documented in the previous step. This BURDEN OF PROOF must be met both ADMINISTRATIVELY and IN COURT BEFORE any enforcement action may be lawfully attempted by any government. It must be met by an IMPARTIAL decision maker with NO FINANCIAL interest in the outcome and not employed by the government or else a criminal financial

conflict of interest will result. In other words, the government has to prove that it is NOT stealing before it can take property, that it is the lawful owner, and expressly HOW it became the lawful owner.

7. Enforcing the following CONCLUSIVE PRESUMPTION against government jurisdiction to enforce unless and until the above requirements are met:

"All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL statutory franchise codes unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:

a. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.

b. The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.

c. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity."

For a detailed exposition on the mandatory separation between PUBLIC and PRIVATE as indicated above, please see the following course on our site:

[Separation Between Public and Private Course](https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf), Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

For a detailed exposition of the legal meaning of the word "law" and why the above restrictions on its definition are important, see:

[What is "law"?](https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf), Form #05.048
<https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf>

4.1.9 Copyright

The words "Copyright" or "Copyright Sovereignty Education and Defense Ministry (SEDM)" used in connection with any of the intellectual property on this site shall mean the following:

1. Owned by an exclusively private, nonstatutory human and not any artificial entity, "person", "citizen", or "resident" under any civil statutory law.
2. Protected only under the common law and the constitution and not subject to the statutory civil law, including any tax law.
3. Not owned by this website or ministry.
4. Owned by an anonymous third party who we have an agreement with to reuse the materials on this site.
5. Not owned or controlled by any government per 17 U.S.C. §105. Governments are not allowed to copyright their works. Any attempt to bring this ministry under the control of any government or make it the property of any government therefore results in no copyright being held in the name of the government.

The purpose of these copyright restrictions is to ensure that no government can use legal process or tax assessment as a method to censor free speech materials found on this website.

4.1.10 Franchise

The word "[franchise](#)" means a grant or rental or lease rather than a gift of specific property with legal strings or "obligations" attached.

FRANCHISE. A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right. *Elliott v. City of Eugene*, 135 Or. 108, 294 P. 358, 360. In England it is defined to be a royal privilege in the hands of a subject.

A "franchise," as used by Blackstone in defining *quo warranto*, (3 Com. 262 [4th Am. Ed.] 322), had reference to a royal privilege or branch of the king's prerogative subsisting in the hands of the subject, and must arise from the king's grant, or be held by prescription, but today we understand a franchise to be some special privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in general. *State v. Fernandez*, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.

In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised without legislative grant. To be a corporation is a franchise. The various powers conferred on corporations are franchises. The execution of a policy of insurance by an insurance company [e.g. Social Insurance/Socialist Security], and the issuing a bank note by an incorporated bank [such as a Federal Reserve NOTE], are franchises. *People v. Utica Ins. Co.*, 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace the property acquired by the exercise of the franchise. *Bridgeport v. New York & N.H. R. Co.*, 36 Conn. 255, 4 Am.Rep. 63. Nor involve interest in land acquired by grantee. *Whitbeck v. Funk*, 140 Or. 70, 12 P.2d 1019, 1020. In a popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage. etc. *Pierce v. Emery*, 32 N.H. 484 ; *State v. Black Diamond Co.*, 97 Ohio St. 24, 119 N.E. 195, 199, L.R.A. 1918E, 352.

Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.

Exclusive Franchise. See *Exclusive Privilege or Franchise*.

General and Special. The charter of a corporation is its "general" franchise, while a "special" franchise consists in any rights granted by the public to use property for a public use but-with private profit. *Lord v. Equitable Life Assur. Soc.*, 194 N.Y. 212, 87 N.E. 443, 22 L.R.A. (N.S.) 420.

Personal Franchise. A franchise of corporate existence, or one which authorizes the formation and existence of a corporation, is sometimes called a "personal" franchise. as distinguished from a "property" franchise, which authorizes a corporation so formed to apply its property to some particular enterprise or exercise some special privilege in its employment, as, for example, to construct and operate a railroad. See *Sandham v. Nye*, 9 Misc.ReP. 541, 30 N.Y.S. 552.

Secondary Franchises. The franchise of corporate existence being sometimes called the "primary" franchise of a corporation, its "secondary" franchises are the special and peculiar rights, privileges, or grants which it may, receive under its charter or from a municipal corporation, such as the right to use the public streets, exact tolls, collect fares, etc. *State v. Topeka Water Co.*, 61 Kan. 547, 60 P. 337; *Virginia Canon Toll Road Co. v. People*, 22 Colo. 429, 45 P. 398 37 L.R.A. 711. The franchises of a corporation are divisible into (1) corporate or general franchises; and (2) "special or secondary franchises. The former is the franchise to exist as a corporation, while the latter are certain rights and privileges conferred upon existing corporations. *Gulf Refining Co. v. Cleveland Trust Co.*, 166 Miss. 759, 108 So. 158, 160.

Special Franchisee. See *Secondary Franchises, supra*.

The definition of "privilege" in the definition above means PROPERTY, whether physical or intangible. This loan is often called a "grant" in statutes, as in the case of Social Security in [42 U.S. Code Subchapter I-Grants to the States for Old-Age Assistance](#). That grant is to federal territories and NOT constitutional states, as demonstrated by the definition of "State" found in [42 U.S.C. §1301\(a\)\(1\)](#). Hence, Social Security cannot be offered in constitutional states, but only federal territories, as proven in [Form #06.001](#).

"For here, the state must deposit the proceeds of its taxation in the federal treasury, upon terms which make the deposit suspiciously like a forced loan to be repaid only in accordance with restrictions imposed by federal law. Title IX, §§ 903 (a) (3), 904 (a), (b), (e). All moneys withdrawn from this fund must be used exclusively for the payment of compensation. § 903 (a) (4). And this compensation is to be paid through public employment offices in the state or such other agencies as a federal board may approve. § 903 (a) (1)."

[[Steward Machine Co. v. Davis, 301 U.S. 548 \(1937\)](#)]

In the case of government franchises, property granted or rented can include one or more of the following:

1. A public right or public privilege granted by a statute that is not found in the Constitution but rather created by the Legislature. This includes remedies provided in franchise courts in the Executive Branch under Article I or Article IV to vindicate such rights. It does not include remedies provided in true Article III courts.

"The distinction between public rights and private rights has not been definitively explained in our precedents. Nor is it necessary to do so in the present cases, for it suffices to observe that a matter of public rights must at a minimum arise "between the government and others." Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, "the liability of one individual to another under the law as defined," Crowell v. Benson, supra, at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that only controversies in the former category may be removed from Art. III courts and delegated to legislative courts or administrative agencies for their determination. See Atlas Roofing Co. v. Occupational Safety and Health Review Comm'n, 430 U.S. 442, 450, n. 7, 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d. 464 (1977); Crowell v. Benson, supra, 285 U.S., at 50-51, 52 S.Ct., at 292. See also Katz, Federal Legislative Courts, 43 Harv.L.Rev. 894, 917-918 (1930).FN24 Private-rights disputes, on the other hand, lie at the core of the historically recognized judicial power."

[. . .]

Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz' recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against "encroachment or aggrandizement" by Congress at the expense of the other branches of government. Buckley v. Valeo, 424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege" or "public right" in this case, such as a "trade or business"], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right. FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads

suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.

[\[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 \(1983\)\]](#)

2. Any type of privilege, immunity, or exemption granted by a statute to a specific class of people and not to all people generally that is not found in the Constitution. All such statutes are referred to as "special law" or "private law", where the government itself is acting in a private rather than a public capacity on an equal footing with every other private human in equity. The U.S. Supreme court also called such legislation "class legislation" in [Pollock v. Farmers' Loan and Trust, 157 U.S. 429 \(1895\)](#) and the ONLY "class" they can be talking about are public officers in the U.S. government and not to all people generally. See the following for proof:

[Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008](#)
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>

"special law. *One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designed for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A "special law" relates to either particular persons, places, or things or to persons, places, or things which, though not particularized, are separated by any method of selection from the whole class to which the law might, but not such legislation, be applied. Utah Farm Bureau Ins. Co. v. Utah Ins. Guaranty Ass'n, Utah, 564 P.2d. 751, 754. A special law applies only to an individual or a number of individuals out of a single class similarly situated and affected, or to a special locality. Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d. 361, 362. See also Private bill; Private law. Compare General law; Public law."*
[Black's Law Dictionary, Sixth Edition, pp. 1397-1398]

3. A statutory "[civil status](#)" created and therefore owned by the legislature. This includes statutory "taxpayers", "drivers", "persons", "individuals", etc. All such entities are creations of Congress and public rights which carry obligations when consensually and lawfully exercised. See:

[Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008](#)
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>

4. A STATUTORY Social Security Card. The regulations at [20 C.F.R. §422.103\(d\)](#) indicates the card is property of the government and must be returned upon request.
5. A U.S. passport. The passport indicates that it is property of the government that must be returned upon request.
6. A "[license](#)", which is legally defined as permission by the state to do something that would otherwise be illegal or even criminal.

In legal parlance, such a grant makes the recipient a temporary trustee, and if they violate their trust, the property can be taken back through administrative action or physical seizure and without legal process so long as the conditions of the loan allowed for these methods of enforcement:

*"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee*

incurs a legal as well as an equitable obligation. In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

“When Sir Matthew Hale, and the sages of the law in his day, spoke of property as affected by a public interest, and ceasing from that cause to be juris privati solely, that is, ceasing to be held merely in private right, they referred to

[1] property dedicated [DONATED] by the owner to public uses, or

[2] to property the use of which was granted by the government [e.g. Social Security Card], or

[3] in connection with which special privileges were conferred [licenses].

Unless the property was thus dedicated [by one of the above three mechanisms], or some right bestowed by the government was held with the property, either by specific grant or by prescription of so long a time as to imply a grant originally, the property was not affected by any public interest so as to be taken out of the category of property held in private right.”

[[Munn v. Illinois, 94 U.S. 113, 139-140 \(1876\)](#)]

The above authorities imply that a mere act of accepting or using the property in question in effect represents "implied consent" to abide by the conditions associated with the loan, as described in the California Civil Code below:

CALIFORNIA CIVIL CODE
DIVISION 3. OBLIGATIONS
PART 2. CONTRACTS
CHAPTER 3. CONSENT
[Section 1589](#)

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

The U.S. Supreme Court further acknowledged the above mechanisms of using grants or loans of government property to create equitable obligations against the recipient of the property as follows. Note that they ALSO imply that YOU can use exactly the same mechanism against the government to impose obligations upon them, if they are trying to acquire your physical property, your services, your labor, your time, or impose any kind of [obligation \(Form #12.040\)](#) against you without your express written consent, because all such activities involve efforts to acquire what is usually PRIVATE, absolutely owned property that you can use to control the GOVERNMENT as the lawful owner:

“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”

[[Munn v. Illinois, 94 U.S. 113 \(1876\)](#)]

The [injustice \(Form #05.050\)](#), [sophistry](#), and [deception \(Form #05.014\)](#) underlying their welfare state system is that:

1. Governments don't produce anything, but merely transfer wealth between otherwise private people (see [Separation Between Public and Private Course, Form #12.025](#)).
2. The money they are paying you can never be more than what you paid them, and if it is, then they are abusing their taxing powers!

To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.

Coulter, J., in *Northern Liberties v. St. John's Church*, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that **taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.**' See, also *Pray v. Northern Liberties*, 31 Pa.St. 69; *Matter of Mayor of N.Y.*, 11 Johns., 77; *Camden v. Allen*, 2 Dutch., 398; *Sharpless v. Mayor*, supra; *Hanson v. Vernon*, 27 Ia., 47; *Whiting v. Fond du Lac*, supra."
[*Loan Association v. Topeka*, 20 Wall. 655 (1874)]

3. If they try to pay you more than you paid them, they must make you into a public officer to do so to avoid the prohibition of the case above. In doing so, they in most cases must illegally establish a public office and in effect use "benefits" to criminally bribe you to illegally impersonate such an office. See [The "Trade or Business" Scam, Form #05.001](#) for details.
4. Paying you back what was originally your own money and NOTHING more is not a "benefit" or even a loan by them to you. If anything, it is a temporary loan by you to them! And it's an unjust loan because they don't have to pay interest!
5. Since you are the real lender, then you are the only real party who can make rules against them and not vice versa. See [Article 4, Section 3, Clause 2 of the Constitution](#) for where the ability to make those rules comes from.
6. All franchises are contracts that require mutual consideration and mutual obligation to be enforceable. Since the government isn't contractually obligated to provide the main consideration, which is "benefits" and isn't obligated to provide ANYTHING that is truly economically valuable beyond that, then the "contract" or "compact" is unenforceable against you and can impose no obligations on you based on mere equitable principals of contract law.

"We must conclude that a person covered by the Act has not such a right in benefit payments... This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint."
[*Flemming v. Nestor*, [363 U.S. 603](#) (1960)]

"... railroad benefits, like social security benefits, are not contractual and may be altered or even eliminated at any time."
[*United States Railroad Retirement Board v. Fritz*, [449 U.S. 166](#) (1980)]

For further details on government franchises, see:

1. [Sovereignty Forms and Instructions Online](#), Form #10.004, Cites by Topic: "franchise"
<http://famguardian.org/TaxFreedom/CitesByTopic/franchise.htm>
2. [Government Franchises Course](#), Form #12.012
Slides: <https://sedm.org/LibertyU/GovFranchises.pdf>
Video: <http://youtu.be/vnDcauqlbTQ>
3. [Government Instituted Slavery Using Franchises](#), Form #05.030
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

For information on how to avoid franchises, quit them, or use your own PERSONAL franchises to DEFEND yourself against illegal government franchise administration or enforcement, usually against ineligible parties, see:

1. *Avoiding Traps in Government Forms Course*, Form #12.023
<https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf>
2. *Path to Freedom*, Form #09.015, Section 5
<https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>
3. *Injury Defense Franchise and Agreement*, Form #06.027
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>
4. *SEDM Forms/Pubs Page*, Section 1.6: Avoiding Government Franchises
<https://sedm.org/Forms/FormIndex-Singlepg.htm#1.6>. **AVOIDING GOVERNMENT FRANCHISES AND LICENSES**
5. *The Government "Benefits" Scam*, Form #05.040 (Member Subscription form)
<https://sedm.org/Forms/FormIndex.htm>
6. *Why the Government is the Only Real Beneficiary of All Government Franchises*, Form #05.051 (Member Subscription form)
<https://sedm.org/Forms/FormIndex.htm>

4.1.11 Frivolous

The word "**frivolous**" as used by the government or on other websites in referring to this website shall mean "correct" and "truthful". Any attempts to call anything on this website incorrect or untruthful must be accompanied by authoritative, court-admissible evidence to support such a conclusion or shall be presumed by the reader to be untrustworthy and untruthful. All such evidence MUST derive EXCLUSIVELY from the consensual civil domicile of the defendant pursuant to [Federal Rule of Civil Procedure 17\(b\)](#). Parties subject to this agreement stipulate that any violation of this rule is a malicious prosecution and obstruction of justice in violation of [18 U.S.C. §1589\(a\)\(3\)](#). [Click here for details on domicile \(https://sedm.org/Forms/05-MemLaw/Domicile.pdf\)](https://sedm.org/Forms/05-MemLaw/Domicile.pdf).

4.1.12 Federal Income Tax

The term "federal income tax", in the context of this website, means the revenue scheme described in Subtitle A of the Internal Revenue Code as applied specifically and only to human beings who are not statutory "persons" or "individuals" under federal law and shall NOT refer to businesses or artificial entities. This website does NOT concern itself with businesses or corporations or artificial entities of any description.

4.1.13 Tax

The term "**tax**" includes any method to collect revenues to support ONLY the operation of the government. It does NOT include the abuse of taxing power to transfer wealth between ordinary citizens or residents and when it is used for this purpose it is THEFT, not "taxation".

*"The power to tax is, therefore, the strongest, the most pervading of all powers of government, reaching directly or indirectly to all classes of the people. It was said by Chief Justice Marshall, in the case of McCulloch v. Md., 4 Wheat. 431, that the power to tax is the power to destroy. A striking instance of the truth of the proposition is seen in the fact that the existing tax of ten per cent, imposed by the United States on the circulation of all other banks than the National Banks, drove out of existence every *state bank of circulation within a year or two after its passage. This power can be readily employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised.*

To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.

Coulter, J., in *Northern Liberties v. St. John's Church*, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.' See, also *Pray v. Northern Liberties*, 31 Pa.St. 69; *Matter of Mayor of N.Y.*, 11 Johns., 77; *Camden v. Allen*, 2 Dutch., 398; *Sharpless v. Mayor*, supra; *Hanson v. Vernon*, 27 Ia., 47; *Whiting v. Fond du Lac*, supra." [[Loan Association v. Topeka](#), 20 Wall. 655 (1874)]

"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another." [[U.S. v. Butler](#), 297 U.S. 1 (1936)]

"Tax" includes ONLY impositions upon PUBLIC property or franchises ([Form #05.030](#)) and not upon absolutely owned PRIVATE property.

1. PRIVATE property must be consensually converted to PUBLIC property before it can be taxed, and the burden of proof rests on the government to prove that it was lawfully converted before it can be subject to tax. See:

[Separation Between Public and Private Course, Form #12.025](#)
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

2. The "persons" spoken above are civil statutory PUBLIC "persons" and not PRIVATE humans. See:

[Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037](#)
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

4.1.14 Protection

The word "protection" includes only CRIMINAL, constitutional, and common law protection. It excludes every type of government activity, franchise, or program that requires a [predicate civil status \(Form #13.008\) to enforce](#), such as "citizen", "resident", "taxpayer", "spouse", Social Security beneficiary, etc. Every attempt to impose, acquire, or enforce a civil status or to enforce duties upon a civil status NOT related to voting or jury service constitutes the following:

1. An INJURY and an [INJUSTICE \(Form #05.050\)](#).
2. [Identity Theft \(Form #05.046\)](#).

4.1.15 Fact

The word "fact" means that which is admissible as evidence in a court of law BECAUSE ENACTED LAW makes it admissible AND because the speaker (other than us) INTENDED for it to be factual. It does NOT imply that we allege that it is factual, actionable, or even truthful. Any attempt by any government to make anything published on this website or anything said by members or officers of the ministry FACTUAL or ACTIONABLE in conflict with this disclaimer is hereby declared and stipulated by all members to be FRAUDULENT, PERJURIOUS, and a willful act of international terrorism and organized extortion.

4.1.16 Statutory

The term "statutory" when used as a prefix to any other term, means that the term it precedes pertains only to federal territory, property, PUBLIC rights, or privileges under the exclusive jurisdiction of the national government. Includes NO private property or people.

4.1.17 Statutory Citizen

The term “statutory citizen” is defined on this website to mean someone who:

1. Is born or naturalized in a specific country and therefore has NATIONALITY in that country. The result is that they therefore are:
 - 1.1. A Citizen* of that country described in this Disclaimer. Citizen* in turn is a POLITICAL status.
 - 1.2. A "national" of that country as described in [8 U.S.C. §1101\(a\)\(21\)](#).
 - 1.3. A POLITICAL MEMBER of the national body politic by virtue of having NATIONALITY. That membership is called "[citizenship](#)" in [8 C.F.R. §337.1](#).
2. Obtained their Citizen* status by virtue of one of the following:
 - 2.1. The Fourteenth Amendment, in the case states mentioned in the U.S. Constitution.
 - 2.2. Title 8 of the U.S. Code, in the case of territories, possessions, federal enclaves, and Americans born abroad.
3. Has CONSENTED to a CIVIL DOMICILE within the jurisdiction of a specific government within the country they are a Citizen* and NATIONAL (8 U.S.C. §1101(a)(21)) of. By so consenting, they:
 - 3.1. Acquired a CIVIL STATUS.
 - 3.2. Are also called a Citizen**+D on in this Disclaimer.
 - 3.3. Became a consenting party to the CIVIL "Social Compact", which is a Private Membership Association (PMA) that no one can FORCE you to join. It is a violation of the First Amendment to FORCE you to join.
4. Is both a POLITICAL MEMBER and a LEGAL (CIVIL) MEMBER of a specific community subject to the CIVIL STATUTORY laws of that community. The civil statutory law in that scenario functions as the equivalent of CIVIL LEGAL rules governing a Private Membership Association (PMA). See:

[Hot Issues: Self, Family, Church, Local Self Governance, and Private Membership Associations \(PMAs\), Section 2](#)
<https://sedm.org/self-family-church-and-local-self-governance/>
5. Is an agent or officer of the government they are a CIVIL member of. President Obama in his Farewell Address referred to this membership as a "public office". See:

[President Obama Admits in His Farewell Address that "citizen" is a public office, Exhibit #01.018](#)
<https://sedm.org/Exhibits/EX01.018-39-45-20170110-Obama%20Farewell%20Speech.mp4>
6. Gave UP some portion of their constitutional or natural rights in exchange for the BENEFITS of CIVIL LEGAL membership. See:

[How You Lose Constitutional or Natural Rights, Form #10.015](#)
<https://sedm.org/Forms/10-Emancipation/HowLoseConstOrNatRights.pdf>

Political status asks: Are you a member of this home, and are you faithful to the family? Civil status asks: Are you a member of the home, and in what room do you live? More on CIVIL STATUS at:

[Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008](#)
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>

For a detailed description of the VERY NEGATIVE CONSEQUENCES of selecting or consenting to a CIVIL DOMICILE, thus becoming a STATUTORY CITIZEN, and thus funding government in an UNACCOUNTABLE way, see:

1. [Your Irresponsible, Lawless, and Anarchist Beast Government](#), Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>
2. [Government Corruption](#), Form #11.401
<https://sedm.org/home/government-corruption/>

For a way to REMOVE ALL of the MASSIVE infirmities of CIVIL DOMICILE and being a STATUTORY CITIZEN and replace them with something MUCH better and definitely not SOCIALIST but CAPITALIST, see:

[Self Government Federation: Articles of Confederation](#), Form #13.002
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

Every reference to the word “citizen” in every act of congress OTHER than in [Title 8](#). Title 8 acts as a substitute for the Constitution for the purposes of only citizenship within territories and/or possessions OR abroad. [Fourteenth Amendment/CONSTITUTIONAL](#) citizenship is NOWHERE described or referenced in in [Title 8](#) of the U.S. Code. Statutes in [Title 8](#) are not necessary to define or authorize citizenship for people in states of the Union:

1 “Finally, this Court is mindful of the years of past practice in which territorial citizenship
2 has been treated as a statutory [PRIVILEGE!], and not a constitutional, right. In the
3 unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern
4 Mariana Islands, birthright citizenship was conferred upon their inhabitants by various
5 statutes many years after the United States acquired them. See Amicus Br. at 10-11. If the
6 Citizenship Clause [of the Fourteenth Amendment] guaranteed birthright citizenship
7 in unincorporated territories, these statutes would have been unnecessary. While
8 longstanding practice is not sufficient to demonstrate constitutionality, such a practice
9 requires special scrutiny before being set aside. See, e.g., *Jackman v. Rosenbaum Co.*, 260
10 U.S. 22, 31 (1922) (Holmes, J.) (“If a thing has been practiced for two hundred years by
11 common consent, it will need a strong case for the Fourteenth Amendment to affect it[.]”);
12 *Walz v. Tax Comm’n*, 397 U.S. 664, 678 (1970) (“It is obviously correct that no one
13 acquires a vested or protected right in violation of the Constitution by long use . . . Yet an
14 unbroken practice . . . is not something to be lightly cast aside.”). And while Congress
15 cannot take away the citizenship of individuals covered by the Citizenship Clause [of the
16 Fourteenth Amendment], it can bestow citizenship upon those not within the Constitution’s
17 breadth. See U.S. Const. art. IV, § 3, cl. 2 (“Congress shall have Power to dispose of and
18 make all needful Rules and Regulations respecting the Territory belonging to the United
19 States[**].”); *id.* At art. I, § 8, cl. 4 (Congress may “establish a uniform Rule of
20 Naturalization . . .”). To date, Congress has not seen fit to bestow birthright citizenship
21 upon American Samoa, and in accordance with the law, this Court must and will respect
22 that choice.¹⁶
23 [Tuaua v. U.S.A., 951 F.Supp.2d. 88 (2013)]

24 Note the following in the above:

25 “If the Citizenship Clause [of the Fourteenth Amendment] guaranteed birthright
26 citizenship in unincorporated territories, these statutes would have been unnecessary.”

27 All statutory statuses in Title 8 are therefore POLITICAL statuses rather than CIVIL statuses. For the meaning of "civil
28 status", see:

Civil Status (Important!)-SEDM
<https://sedm.org/litigation-main/civil-status/>

29 However, the political status imputed in Title 8 ("citizen" and/or "national") is not that mentioned in the Constitution. The
30 constitution does not apply on federal territory with the exception of Article 1, Section 8, Clause 17 except insofar as Congress
31 legislatively allows it to apply. Once it is made to apply, that constitutional provision which is legislatively applied cannot be
32 legislatively revoked, because Constitutional rights cannot be legislatively revoked and are private property.

33 “[T]he Constitution is applicable to territories acquired by purchase or conquest only
34 when and so far as Congress shall so direct”
35 [Downes v. Bidwell, 182 U.S. 244, 279 (1901)]

36 All titles of the U.S. Code OTHER than Title 8 and which are CIVIL in nature limit themselves to domiciled parties against
37 whom statutory civil law may lawfully be enforced per Federal Rule of Civil Procedure 17(b). The origin of civil statutory
38 enforcement authority is domicile on federal territory or representing an entity or office domiciled there (such as "person").
39 Thus, all such parties must be at least domiciled on federal territory to civilly enforce. And, one can't have a domicile without
40 physical presence there at some point in time. See:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

4.1.18 Constitutional

The term "constitutional" when used as a prefix to any other term, means that the term it precedes pertains only to land, property, rights, or privileges under the exclusive jurisdiction of a state of the Union and not within the civil or criminal jurisdiction of the national government.

4.1.19 Law Practice

The terms "law practice" or "practice of law":

1. Exclude any and all statutory references to said term in any state or federal statute.
2. Exclude any use of these terms found in any rule of court.
3. Exclude any litigation in which the party "practicing" is representing either a government instrumentality or acting as an officer for said instrumentality such as a statutory "taxpayer" (under the Internal Revenue Code), "driver" (under the vehicle code), "spouse" (under the family code), or "benefit recipient" (under any entitlement program, including Social Security).
4. Include litigation involving ONLY the protection of EXCLUSIVELY PRIVATE rights beyond the jurisdiction of any de jure government.

4.1.20 Sovereign

The word "sovereign" when referring to humans or governments means all the following:

1. A human being and NOT a "government". Only human beings are "sovereign" and only when they are acting in strict obedience to the laws of their religion. All powers of government are delegated from the PEOPLE and are NOT "divine rights". Those powers in turn are only operative when government PREVENTS the conversion of PRIVATE rights into PUBLIC rights. When that goal is avoided or undermined or when law is used to accomplish involuntary conversion, we cease to have a government and instead end up with [a private, de facto for profit corporation that has no sovereign immunity and cannot abuse sovereign immunity to protect its criminal thefts from the people](#).
2. EQUAL in every respect to any and every government or actor in government. All governments are legal "persons" and under our Constitutional system, ALL "persons" are equal and can only become UNEQUAL in relation to each other WITH their EXPRESS and NOT IMPLIED consent. Since our Constitutional rights are unalienable per the Declaration of Independence, then we can't become unequal in relation to any government, INCLUDING through our consent.
3. Not superior in any way to any human being within the jurisdiction of the courts of any country.
4. Possessing the EQUAL right to acquire rights over others by the same mechanisms as the government uses. For instance, if the government encourages the filing of FALSE information returns that essentially "elect" people into public office without their consent, then we have an EQUAL right to elect any and every government or officer within government into our PERSONAL service as our PERSONAL officer without THEIR consent. See:

<http://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf>
5. Subject to the criminal laws of the jurisdiction they are physically situated in, just like everyone else. This provision excludes "quasi-criminal provisions" within civil franchises, such as tax crimes.
6. The origin of all authority delegated to the government per the Declaration of Independence.
7. Reserving all rights and delegating NONE to any and every government or Government Actor. U.C.C. §1-308 and its predecessor, U.C.C. §1-207.
8. Not consenting to any and every civil franchise offered by any government.
9. Possessing the same sovereign immunity as any government. Hence, like the government, any Government Actor asserting a liability or obligation has the burden of proving on the record of any court proceeding EXPRESS WRITTEN consent to be sued before the obligation becomes enforceable.
10. Claiming no civil or franchise status under any statutory franchise, including but not limited to "citizen", "resident", "driver" (under the vehicle code), "spouse" (under the family code), "taxpayer" (under the tax code). Any attempt to associate a statutory status and the public rights it represents against a non-consenting party is THEFT and SLAVERY and INJUSTICE.
11. Acting as a fiduciary, agent, and trustee on behalf of God 24 hours a day, seven days a week as an ambassador of a legislatively foreign jurisdiction and as a public officer of "Heaven, Inc.", a private foreign corporation. God is the ONLY "sovereign" and the source of all sovereignty. We must be acting as His agent and fiduciary before we can

exercise any sovereignty at all. Any attempt by so-called "government" to interfere with our ability to act as His fiduciaries is a direct interference with our right to contract and the free exercise of religion. See:

Delegation of Authority Order from God to Christians, Form #13.007

<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

12. Capable of being civilly sued ONLY under the common law and equity and not under any statutory civil law. All statutory civil laws are law for government and public officers, and NOT for private human beings. They are civil franchises that only acquire the "force of law" with the consent of the subject. See:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037

<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

13. Protected from the civil statutory law by the First Amendment requirement for separation of church and state because we Christians are the church and our physical body is the "temple" of the church. See: [1 Cor. 6:19](#).

14. Responsible for all the injuries they cause to every other person under equity and common law ONLY, and not under civil statutory law.

4.1.21 Anarchy

The term "anarchy" implies any one or more of the following, and especially as regards so-called "governments". An important goal of this site it to eliminate all such "anarchy":

1. Are superior in any way to the people they govern UNDER THE LAW.
2. Are not directly accountable to the people or the law. They prohibit the PEOPLE from criminally prosecuting their own crimes, reserving the right to prosecute to their own fellow criminals. Who polices the police? THE CRIMINALS.
3. Enact laws that exempt themselves. This is a violation of the Constitutional requirement for equal protection and equal treatment and constitutes an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.
4. Only enforce the law against others and NOT themselves, as a way to protect their own criminal activities by persecuting dissidents. This is called "selective enforcement". In the legal field it is also called "professional courtesy". Never kill the goose that lays the STOLEN golden eggs.
5. Break the laws with impunity. This happens most frequently when corrupt people in government engage in "selective enforcement", whereby they refuse to prosecute or interfere with the prosecution of anyone in government. The Department of Justice (D.O.J.) or the District Attorney are the most frequent perpetrators of this type of crime.
6. Are able to choose which laws they want to be subject to, and thus refuse to enforce laws against themselves. The most frequent method for this type of abuse is to assert sovereign, official, or judicial immunity as a defense in order to protect the wrongdoers in government when they are acting outside their delegated authority, or outside what the definitions in the statutes EXPRESSLY allow.
7. Impute to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess "supernatural" powers. By "supernatural", we mean that which is superior to the "natural", which is ordinary human beings.
8. Claim and protect their own sovereign immunity, but refuse to recognize the same EQUAL immunity of the people from whom that power was delegated to begin with. Hypocrites.
9. Abuse sovereign immunity to exclude either the government or anyone working in the government from being subject to the laws they pass to regulate everyone ELSE'S behavior. In other words, they can choose WHEN they want to be a statutory "person" who is subject, and when they aren't. Anyone who has this kind of choice will ALWAYS corruptly exclude themselves and include everyone else, and thereby enforce and implement an unconstitutional "Title of Nobility" towards themself. On this subject, the U.S. Supreme Court has held the following:

"No man in this country [including legislators of the government as a legal person] is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property by force, his estate seized and converted to the use of the government without any lawful authority, without any process of law, and without any compensation, because the president has ordered it and his officers are in possession? If such be the law of this

country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights," 106 U.S., at 220, 221.
[United States v. Lee, 106 U.S. 196, 1 S.Ct. 240 (1882)]

10. Have a monopoly on anything, INCLUDING "protection", and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the "privilege" of being able to even exist or earn a living to support oneself.
11. Can tax and spend any amount or percentage of the people's earnings over the OBJECTIONS of the people.
12. Can print, meaning illegally counterfeit, as much money as they want to fund their criminal enterprise, and thus to be completely free from accountability to the people.
13. Deceive and/or lie to the public with impunity by telling you that you can't trust anything they say, but force YOU to sign everything under penalty of perjury when you want to talk to them. 26 U.S.C. §6065.

In support of the above definition of "anarchy", here is how the U.S. Supreme Court defined it:

*"Decency, security, and liberty alike demand that **government officials shall be subjected to the same rules of conduct that are commands to the citizen.** In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. **Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy.** To declare that in the administration of the criminal law the end justifies the means—to declare that the government may commit crimes in order to secure the conviction of a private criminal—would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face."*
[Olmstead v. United States, 277 U.S. 438 (1928)]

The above requirements are a consequence of the fact that the foundation of the United States Constitution is EQUAL protection and EQUAL treatment. Any attempt to undermine equal rights and equal protection described above constitutes:

1. The establishment of a state sponsored religion in violation of the First Amendment and the Religious Freedom Restoration Act, 42 U.S.C. Chapter 21B. That religion is described in: Socialism: The New American Civil Religion, Form #05.016. The object of worship of such a religion is imputing "supernatural powers" to civil rulers and forcing everyone to worship and serve said rulers as "superior beings".
2. The establishment of an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.

For court admissible proof that your CIVIL government is the MAIN and most damaging type of anarchist in modern society, both from a legal perspective and a theological perspective, see:

Your Irresponsible, Lawless, and Anarchist Beast Government, Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>

4.1.22 Political

The term "political" as used throughout our website in reference to us or our activities:

1. Excludes the endorsement of specific candidates for political office.
2. Excludes any motivation that might result in a revocation of 26 U.S.C. §501(c)(4) status.
3. Excludes activities of public officers or agents of the government.
4. Excludes those who are "persons", "individuals", "taxpayers" under any revenue law.
5. Excludes those with a domicile or residence "in this State", meaning the government.
6. Includes efforts to educate the public about the law and the legal limits upon the jurisdiction of those in the government.
7. Includes ONLY EXCLUSIVELY PRIVATE people beyond the civil legislative control of the specific government affected by the policy.

8. Involves the protection of purely private property and private rights exclusively owned by human beings and not businesses or artificial entities of any description.
9. Includes activities undertaken ONLY in the fulfillment of [purely religious goals as a full time fiduciary of God under the Bible trust indenture](#).

4.1.23 **Non-citizen national**

The term "non-citizen national" MEANS a human being born in a constitutional state and domiciled or at least physically present there. These people are described in [8 U.S.C. §1101\(a\)\(21\)](#). They are STATUTORY "non-resident non-persons" as described in [Non-Resident Non-Person Position, Form #05.020](#). It DOES NOT mean or include those who are:

1. [Domiciled](#) either abroad or on federal territory.
2. Statutory "nationals and citizens of the United States[**] at birth" per [8 U.S.C. §1401](#). These people are born in federal territories exclusively.
3. Statutory "national but not citizen of the United States[**] at birth" per [8 U.S.C. §1408](#). These people are born in federal possessions such as Puerto Rico.
4. Statutory "citizens of the United States[**]" per [8 U.S.C. §1101\(a\)\(22\)\(A\)](#).
5. Statutory "national of the United States [**]" per [8 U.S.C. §1101\(a\)\(22\)](#).

4.1.24 **State national**

The term "state national" means those who are:

1. Born in a Constitutional but not Statutory "State" as described in the Fourteenth Amendment or the original constitution.
2. Standing on land protected by the Constitution and/or the organic law and therefore possessing natural and Constitutional and PRIVATE rights as documented in:

[Enumeration of Inalienable Rights, Form #10.002](https://sedm.org/Forms/10-Emancipation/EnumRights.pdf)
<https://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
3. Not claiming any government statutory privilege, immunity, exemption, "benefit", domicile, or civil statutory protection in the context of a specific interaction and reserving all rights per U.C.C. §1-308.
4. Invoking ONLY the common law, the criminal law, God's laws, and the national and state Bill of Rights or constitutional rights for their protection in a court of law. They are therefore NOT "anarchists" who reject ALL law. Instead, they only reject that subset of law (the CIVIL STATUTORY law) that acquires the "force of law" from their consent in some form, whether express or implied.
5. Reject the statutory terms "citizen", "resident", or "person" and the use of the word "citizenship" in ANY context in describing themselves. Instead, they insist on the consistent use of "nationality" and "domicile" to describe their degree of POLITICAL and CIVIL/LEGAL membership in the communities they live in respectively. Domicile, in turn, is VOLUNTARY and cannot be compelled, except possibly in a probate proceeding involving a DEAD person with no rights. POLITICAL membership conveys NO civil enforcement authority. Only CIVIL/LEGAL membership can, and it must be voluntary.
6. Owing allegiance to THE PEOPLE as individuals and sovereigns occupying the land within the state, and not to the government that serves them under the constitution as the delegation of authority order. "State" in a political sense always refers to PEOPLE occupying land and never to GOVERNMENTS or government corporations. In biblical terms, that allegiance is called "love" and it is commanded by God in Matt. 22:34-40. God NEVER commands Christians to love governments or civil rulers and often tells people to DISOBEY them when they violate the Bible as their delegation of authority order (Form #13.007).

Equivalent to a "non-citizen national of the United States OF AMERICA" or a "free inhabitant" under the Articles of Confederation. EXCLUDES any of the following:

1. STATUTORY "person" under [26 U.S.C. §6671\(b\)](#) and [§7343](#).
2. Statutory "national and citizen of the United States** at birth" as defined in [8 U.S.C. §1401](#). This is a territorial citizen rather than a state citizen.
3. "citizen of the United States**[federal zone]" under [26 U.S.C. §911](#), 26 U.S.C. §3121(e), or [26 C.F.R. §1.1-1\(c\)](#).

4. "National but not citizen of the United States** at birth" under [8 U.S.C. §1408](#). This is a person born in a federal possession RATHER than a state of the Union.
5. "U.S.[**] non-citizen national" under [8 U.S.C. §1452](#). This is a person born in a federal possession RATHER than a state of the Union.
6. STATUTORY "U.S. person" as defined in [26 U.S.C. §7701\(a\)\(30\)](#), which is a human being born and domiciled on federal territory not within the exclusive jurisdiction of any Constitutional state.

The term is a SUBSET of the term "American National" as used by the Department of State in [8 U.S.C. §1502](#) because it:

1. Excludes citizens or nationals within territories or possessions or those born abroad.
2. Includes ONLY those born or naturalized within a constitutional state of the Union.

We make this distinction because we don't want to be in a position of "purposefully availing oneself" of commerce within the exclusive jurisdiction of the national government and thereby make ourselves a target of "selective or UNJUST enforcement". This is also consistent with the SEDM opening page, which says:

"Our goal is to inspire, empower, motivate, and educate mainly those born or naturalized in the [USA \(and NOT "U.S."\)](#) and who are Members in how to love, honor, obey, glorify, and lift up our Sovereign Lord above every man, king, ruler, government, and [Earthly law](#) at a personal and very practical level and in every area of our lives. This is the essence of our religious worship and the essence, according to the Bible, of how we love our God."
[SEDM Opening Page; <http://sedm.org>]

"state" for a foreign national = the country of which that person is a national. "state" for an American National is the United States of America, or just America. "state" is not defined in 8 U.S.C. although "State" is defined in [8 U.S.C. §1101\(a\)\(36\)](#) and they are NOT equivalent. See [8 U.S.C. §1101\(a\)\(21\)](#) for another reference to a "state national". Remember the context of [8 U.S.C. §1101](#) is immigration and nationality. So when we speak of a state in this context, we are talking about international states. In that context, American nationality (or U.S. nationality) is what we are---nationality of California is meaningless in this context. So to say you are a national of California is to say you are a national of the United States[***] OF AMERICA or an American National.

For the purposes of "State", the following definition applies:

State

As a noun, a people permanently occupying a fixed territory bound together by common habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other states. The section of territory occupied by one of the United States. The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public; as in the title of a case, "The State v. A. B." The circumstances or condition of a being or thing at a given time.
[The Free Dictionary, Farlex; SOURCE: <https://legal-dictionary.thefreedictionary.com/state>]

"State national" is NOT a statutory term and is not commonly used by courts of law. Therefore, if you invoke it in government correspondence or in litigation, you should take great care to define it BEFORE invoking it so that you do not invite charges of being "frivolous".

4.1.25 "Non-Person" or "Non-Resident Non-Person"

The term "[non-person](#)" or "[non-resident non-person](#)" ([Form #05.020](#)) as used on this site we define to be a human who is all of the following:

1. Not domiciled on federal territory and not representing a corporate or governmental office that is so domiciled under [Federal Rule of Civil Procedure 17](#). See [Form #05.002](#) for details.

2. Not engaged in a public office within any government. This includes the civil office of "person", "individual", "citizen", or "resident". See [Form #05.037](#) and [Form #05.042](#) for court-admissible proof that statutory "persons", "individuals", "citizens", and "residents" are public offices.
3. Not "purposefully or consensually availing themselves" of commerce with any government. Therefore, they do not waive sovereign immunity under the [Foreign Sovereign Immunities Act \(FSIA\), 28 U.S.C. Chapter 97](#).
4. Obligations and Rights in relation to Governments:
 - 4.1. Waives any and all privileges and immunities of any civil status and all rights or "entitlements" to receive "benefits" or "civil services" from any government. It is a maxim of law that [REAL de jure governments \(Form #05.043\)](#) MUST give you the right to not receive or be eligible to receive "benefits" of any kind. See Form #05.040 for a description of the SCAM of abusing "benefits" to destroy sovereignty. The reason is because they MUST guarantee your right to be self-governing and self-supporting:

Invito beneficium non datur.

No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.

Potest quis renunciare pro se, et suis, juri quod pro se introductum est.

A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.

Quilibet potest renunciare juri pro se inducto.

Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.

[Bouvier's Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm/>

- 4.2. Because they are not in receipt of or eligible to receive property or benefits from the government, they owe no CIVIL STATUTORY obligations to that government or any STATUTORY "citizen" or STATUTORY "resident", as "obligations" are described in [California Civil Code Section 1428](#). This means they are not party to any contracts or compacts and have injured NO ONE as injury is defined NOT by statute, but by the common law. See [Form #12.040](#) for further details on the definition of "obligations".
- 4.3. Because they owe no statutory civil obligations, the definition of "justice" REQUIRES that they MUST be left alone by the government. See [Form #05.050](#) for a description of "justice".
5. For the purposes of citizenship on government forms:
 - 5.1. STATUTORY "[citizen](#)" and "[resident](#)" are PUBLIC OFFICES and fictions of law within the national government and not human beings. Whenever [CIVIL STATUTORY obligations \(Form #12.040\)](#) attach to a [civil status \(Form #13.008\)](#) such as "citizen", "resident", or "person", then the civil or legal status has to be voluntary or else unconstitutional involuntary servitude is the result in violation of the Thirteenth Amendment. President Obama even admitted that "citizen" is a public office in his Farewell Address. See [SEDM Exhibit #01.018](#) for proof. You have a RIGHT to not be an officer of the government WITHOUT even PAY! They even make you PAY for the privilege with income taxation, because the tax is imposed upon STATUTORY "[citizen](#)" and "[resident](#)" in [26 C.F.R. §1.1-1\(a\)](#). Who else can institute SLAVERY like that and why can't you do that to THEM if we are all REALLY equal ([Form #05.033](#)) as the Constitution requires?
 - 5.2. Does NOT identify as a STATUTORY "citizen" ([8 U.S.C. §1401](#) and [26 C.F.R. §1.1-1\(c\)](#)), "resident" (alien under [26 U.S.C. §7701\(b\)\(1\)\(A\)](#)), "U.S. citizen" (not defined in any statute), "U.S. resident" (not defined in any statute), or "U.S. person" ([26 U.S.C. §7701\(a\)\(30\)](#)).
 - 5.3. Identifies themselves as a "national" per [8 U.S.C. §1101\(a\)\(21\)](#) and per common law by virtue of birth or naturalization within the CONSTITUTIONAL "United States****".
 - 5.4. Is NOT an "alien individual" in [26 C.F.R. §1.1441-1\(c\)\(3\)\(i\)](#) because a "national" under [8 U.S.C. §1101\(a\)\(21\)](#) or "U.S. national" under [22 C.F.R. §51.1](#) owing allegiance to a state of the Union and not the national or federal government. Thus, they are not subject to the presence test under [26 U.S.C. §7701\(b\)](#) and may not lawfully be kidnapped into exclusive national government jurisdiction as a privileged alien "resident" or have a privileged "residence" ([26 C.F.R. §1.871-2\(b\)](#)) within the EITHER the statutory geographical "United States" in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) or "United States*" the COUNTRY in [26 C.F.R. §301.7701\(b\)-1\(c\)\(2\)](#).
 - 5.5. Is legislatively but not constitutionally "[foreign](#)" and "[alien](#)" to the national government by virtue of not having a [domicile](#) (for nationals under [8 U.S.C. §1101\(a\)\(21\)](#)) or "[residence](#)" (for "alien individuals" under [26 C.F.R. §1.871-2\(b\)](#)) within the exclusive legislative jurisdiction of the national government. The words "[foreign](#)" and

"alien" by themselves are NOT defined within the Internal Revenue Code. This is MALICIOUSLY deliberate so as to DECEIVE the American public in states of the Union into FALSELY declaring a [domicile](#) or [residence](#) within the exclusive jurisdiction of the national government. By using "and subject to ITS jurisdiction" after the word "citizen" in [26 C.F.R. §1.1-1\(c\)](#), the average American in states of the Union is deceived using equivocation into VOLUNTEERING for a civil STATUTORY office under the Secretary of the Treasury called "citizen" and "resident" subject to exclusive national government jurisdiction. The "citizen" in this regulation is NOT the POLITICAL citizen mentioned in the Fourteenth Amendment to the Constitution, but a STATUTORY citizen legislatively created and owned by Congress and thus a PRIVILEGE. Those in states of the Union who have neither a [domicile](#) nor [residence](#) within the exclusive jurisdiction of the national government and are not "subject to ITS jurisdiction" and who [FALSELY CLAIM on a government form \(Form #12.023\)](#) such as a W-9 that they are STATUTORY "[U.S. persons](#)" have in practical effect VOLUNTEERED to become privileged STATUTORY "[taxpayers](#)" and uncompensated officers of the national government EVERYWHERE IN THE WORLD who are on duty 24 hours a day, 7 days a week per [26 C.F.R. §1.1-1\(a\)](#)! The corrupt, covetous government WANTS this process of volunteering to be invisible in order to VICTIMIZE the Americans into becoming surety to pay off an endless mountain of public debt that there is NO LIMIT on. That's criminal peonage in violation of [18 U.S.C. §1581](#) if you knew you could unvolunteer and aren't allowed to. It's also criminal human trafficking. You can't UNVOLUNTEER and leave the system until you know HOW you volunteered in the first place. See "[Hot Issues: Invisible Consent](#)" for details on how your consent was procured INVISIBLY. That process of volunteering to pay income tax that state nationals don't owe is exhaustively described in: [How State Nationals Volunteer to Pay Income Tax](#), Form #08.024; <https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf>.

6. Earnings originate from outside:
 - 6.1. The [STATUTORY "United States*"](#) as defined in [26 U.S.C. §7701\(a\)\(9\) and \(a\)\(10\)](#) (federal zone) and
 - 6.2. The U.S. government federal corporation as a privileged legal fiction.Thus, their earnings are expressly EXCLUDED rather than EXEMPTED from "[gross income](#)" under [26 U.S.C. §871](#) and are a "foreign estate" under [26 U.S.C. §7701\(a\)\(31\)](#). See [26 U.S.C. §872](#) and [26 C.F.R. §1.872-2\(f\)](#) and [26 C.F.R. §1.871-7\(a\)\(4\)](#) and [26 U.S.C. §861\(a\)\(3\)\(C\)\(i\)](#) for proof.
7. Earnings are expressly EXCLUDED rather than EXEMPTED from STATUTORY "[wages](#)" as defined in [26 U.S.C. §3401\(a\)](#) because all services performed outside the [STATUTORY "United States*"](#) as defined in [26 U.S.C. §7701\(a\)\(9\) and \(a\)\(10\)](#) (federal zone) and the CORPORATION "United States" as a legal fiction. Therefore, not subject to "wage" withholding of any kind for such services per:
 - 7.1. [26 C.F.R. §31.3401\(a\)\(6\)-1\(b\)](#) in the case of income tax.
 - 7.2. [26 C.F.R. §31.3121\(b\)-3\(c\)\(1\)](#) in the case of Social Security.
8. Expressly EXCLUDED rather than EXEMPTED from income tax reporting under:
 - 8.1. [26 C.F.R. §1.1441-1\(b\)\(5\)\(i\)](#).
 - 8.2. [26 C.F.R. §1.1441-1\(e\)\(1\)\(ii\)\(A\)\(1\)](#).
 - 8.3. [26 C.F.R. §1.6041-4\(a\)\(1\)](#).
9. Expressly EXCLUDED rather than EXEMPTED from backup withholding because earnings are not reportable by [26 U.S.C. §3406](#) and [26 C.F.R. §31.3406\(g\)-1\(e\)](#). Only "reportable payments" are subject to such withholding.
10. Because they are EXCLUDED rather than EXEMPTED from income tax reporting and therefore withholding, they have no "taxable income".
 - 10.1. Only reportable income is taxable.
 - 10.2. There is NO WAY provided within the Internal Revenue Code to make earnings not connected to a [statutory "trade or business"/public office \(Form #05.001\)](#) under [26 U.S.C. §6041](#) reportable.
 - 10.3. The only way to make earnings of a nonresident alien not engaged in the "trade or business" franchise taxable under [26 U.S.C. §871\(a\)](#) is therefore only when the PAYOR is lawfully engaged in a "trade or business" but the PAYEE is not. This situation would have to involve the U.S. government ONLY and not private parties in the states of the Union. The information returns would have to be a [Form 1042s](#). It is a crime under [18 U.S.C. §91](#) for a private party to occupy a public office or to impersonate a public office, and Congress cannot establish public offices within the exclusive jurisdiction of the states of the Union to tax them, according to the [License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 68 S.Ct. 331 \(1866\)](#).
11. Continue to be a "[national of the United States*](#)" ([Form #05.006](#)) and not lose their CONSTITUTIONAL citizenship while filing form 1040NR. See [26 U.S.C. §873\(b\)\(3\)](#). They do NOT need to "expatriate" their nationality to file as a "nonresident alien" and will not satisfy the conditions in [26 U.S.C. §877](#) (expatriation to avoid tax). Expatriation is loss of NATIONALITY, and NOT loss of STATUTORY "citizen" status under [8 U.S.C. §1401](#).
12. If they submit the [SEDM Form W-8SUB, Form #04.231](#) to control withholding and revoke their Form W-4, then they:
 - 12.1. Can submit [SSA Form 7008](#) to correct your SSA earnings to zero them out. See [SEDM Form #06.042](#).

- 12.2. Can use [IRS Form 843](#) to request a full refund or abatement of all FICA and Medicare taxes withheld if the employer or business associate continues to file W-2 forms or withhold against your wishes. See [SEDM Form #06.044](#).
13. Are eligible to replace the SSN with a TEMPORARY Individual Taxpayer Identification Number (ITIN) that expires AUTOMATICALLY every year and is therefore NOT permanent and changes. If you previously applied for an SSN and were ineligible to participate, you can terminate the SSN and replace it with the ITIN. If you can't prove you were ineligible for Social Security, then they will not allow you to replace the SSN with an ITIN. See:
- 13.1. [Form W-7](#) for the application.
<https://www.irs.gov/forms-pubs/about-form-w-7>
- 13.2. [Understanding Your IRS Individual Taxpayer Identification Number, Publication 1915](#)
<https://www.irs.gov/pub/irs-pdf/p1915.pdf>
- 13.3. [Why You Aren't Eligible for Social Security, Form #06.001](#) for proof that no one within the exclusive jurisdiction of a constitutional state of the Union is eligible for Social Security.
<https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf>
14. Must file the paper version of IRS Form 1040NR, because there are no electronic online providers that automate the preparation of the form or allow you to attach the forms necessary to submit a complete and accurate return that correctly reflects your status. This is in part because the IRS doesn't want to make it easy or convenient to leave their slave plantation.
15. Is a SUBSET of "[nonresident aliens](#)" who are not required to have or to use Social Security Numbers (SSNs) or Taxpayer Identification Numbers (TINs) in connection with tax withholding or reporting. They are expressly excluded from this requirement by:
- 15.1. [31 C.F.R. §1020.410\(b\)\(3\)\(x\)](#) .
<https://www.law.cornell.edu/cfr/text/31/1020.410>
- 15.2. [26 C.F.R. §301.6109-1\(b\)\(2\)](#) .
<https://www.law.cornell.edu/cfr/text/26/301.6109-1>
- 15.3. [W-8BEN Inst. p. 1,2,4,5 \(Cat 25576H\)](#).
<https://www.irs.gov/pub/irs-pdf/iw8ben.pdf>
- 15.4. [Instructions for the Requesters of Forms W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, and W-8IMY, p. 1,2,6 \(Cat 26698G\)](#).
<https://www.irs.gov/pub/irs-pdf/iw8.pdf>
- 15.5. [Pub 515 Inst. p. 7 \(Cat. No 16029L\)](#).
<https://www.irs.gov/pub/irs-pdf/p515.pdf>
- More on SSNs and TINs at:
[About SSNs and TINs on Government Forms and Correspondence, Form #05.012](#)
<https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf>
[About SSNs and TINs on Government Forms and Correspondence, Form #04.104](#)
<https://sedm.org/Forms/04-Tax/1-Procedure/AboutSSNs/AboutSSNs.htm>

They are "non-persons" BY VIRTUE of not benefitting from any civil statutory privilege and therefore being "PRIVATE". By "privilege", we mean ANY of the things described in [5 U.S.C. 553\(a\)\(2\)](#):

[5 U.S. Code § 553 - Rule making](#)

(a) This section applies, according to the provisions thereof, except to the extent that there is involved—

[. . .]

(2) a matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.

The above items all have in common that they are PROPERTY coming under [Article 4, Section 3, Clause 2](#) of the Constitution that is loaned or possessed or granted temporarily to a human being with legal strings attached. Thus, Congress has direct legislative jurisdiction not only over the property itself, but over all those who USE, BENEFIT FROM, or HAVE such property physically in their custody or within their temporary control. We remind the reader that Congress enjoys control over their own property NO MATTER WHERE it physically is, including states of the Union, and that it is the MAIN source of their legislative jurisdiction within the exclusive jurisdiction of Constitutional states of the Union!:

1 [United States Constitution](#)
2 [Article 4, Section 3, Clause 2](#)

3 *The Congress shall have Power to dispose of and make all needful Rules and Regulations*
4 *respecting the Territory or other Property belonging to the United States; and nothing in*
5 *this Constitution shall be so construed as to Prejudice any Claims of the United States, or*
6 *of any particular State.*

7
8 **“The Constitution permits Congress to dispose of and to make all needful rules and**
9 **regulations respecting the territory or other property belonging to the United States.**
10 **This power applies as well to territory belonging to the United States within the States,**
11 **as beyond them. It comprehends all the public domain, wherever it may be. The**
12 **argument is, that the power to make ‘ALL needful rules and regulations’ ‘is a power**
13 **of legislation,’ ‘a full legislative power;’ ‘that it includes all subjects of legislation in**
14 **the territory,’ and is without any limitations, except the positive prohibitions which**
15 **affect all the powers of Congress. Congress may then regulate or prohibit slavery upon**
16 **the public domain within the new States, and such a prohibition would permanently affect**
17 **the capacity of a slave, whose master might carry him to it. And why not? Because no**
18 **power has been conferred on Congress. This is a conclusion universally admitted. But the**
19 **power to ‘make rules and regulations respecting the territory’ is not restrained by**
20 **State lines, nor are there any constitutional prohibitions upon its exercise in the**
21 **domain of the United States within the States; and whatever rules and regulations**
22 **respecting territory Congress may constitutionally make are supreme, and are not**
23 **dependent on the situs of ‘the territory.’”**
24 *[Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]*

25 By property, we mean all the things listed in [5 U.S.C. §553\(a\)\(2\)](#) such as SSNs (property of the government per [20 C.F.R.](#)
26 [§422.103\(d\)](#)), contracts (which are property), physical property, chattel property, "benefits", "offices", [civil statuses](#),
27 privileges, civil statutory remedies, etc. A "[public office](#)" is, after all, legally defined as someone in charge of the PROPERTY
28 of the "public",

29 **“Public office. The right, authority, and duty created and conferred by law, by which for**
30 **a given period, either fixed by law or enduring at the pleasure of the creating power, an**
31 **individual is invested with some portion of the sovereign functions of government for the**
32 **benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the**
33 **state, the duties of which involve in their performance the exercise of some portion of the**
34 **sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R.**
35 **1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377,**
36 **214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex**
37 **rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where,**
38 **by virtue of law, a person is clothed, not as an incidental or transient authority, but**
39 **for such time as de- notes duration and continuance, with Independent power to**
40 **control the property of the public, or with public functions to be exercised in the**
41 **supposed interest of the people, the service to be compensated by a stated yearly salary,**
42 **and the occupant having a designation or title, the position so created is a public office.**
43 *State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*
44 *[Black’s Law Dictionary, Fourth Edition, p. 1235]*

45 Even the public office ITSELF is property of the national government, so those claiming any civil statutory status are claiming
46 a civil office within the government. It is otherwise unconstitutional to regulate private property or private rights. The only
47 way you can surrender your private status is to voluntarily adopt an office or civil status or the "benefits", "rights", or
48 privileges attaching to said office or status, as we prove in:

- 49 1. [Civil Status \(Important!\)-SEDM](#)
50 <https://sedm.org/litigation-main/civil-status/>

- 1 2. *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008
2 <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
3 3. *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037
4 <https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

5 It is custody or "benefit" or control of government/public property that grants government control over those handling or
6 using such property:

7 ***"The State in such cases exercises no greater right than an individual may exercise over
8 the use of his own property when leased or loaned to others. The conditions upon which
9 the privilege shall be enjoyed being stated or implied in the legislation authorizing its
10 grant, no right is, of course, impaired by their enforcement. The recipient of the privilege,
11 in effect, stipulates to comply with the conditions. It matters not how limited the privilege
12 conferred, its acceptance implies an assent to the regulation of its use and the
13 compensation for it."***
14 [*\[Munn v. Illinois, 94 U.S. 113 \(1876\)\]*](#)

15
16 ***"The rich rules over the poor,
17 And the borrower is servant to the lender."***
18 *[Prov. 22:7, Bible, NKJV]*

19
20 ***Curses of Disobedience [to God's Laws]***

21 ***"The alien [[Washington, D.C. is legislatively "alien" in relation to states of the Union](#)]
22 who is among you shall rise higher and higher above you, and you shall come down
23 lower and lower [[malicious destruction of EQUAL PROTECTION and EQUAL
24 TREATMENT by abusing FRANCHISES](#)]. He shall lend to you [[Federal Reserve
25 counterfeiting franchise](#)], but you shall not lend to him; he shall be the head, and you
26 shall be the tail.***

27 ***"Moreover all these curses shall come upon you and pursue and overtake you, until you
28 are destroyed, because you did not obey the voice of the Lord your God, to [keep His
29 commandments and His statutes](#) which He commanded you. And they shall be upon you
30 for a sign and a wonder, and on your descendants forever.***

31 ***"Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for
32 the abundance of everything, therefore you shall serve your [covetous thieving lawyer]
33 enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in
34 need of everything; and He will put a yoke of iron [[franchise codes](#)] on your neck until He
35 has destroyed you. The Lord will bring a nation against you from afar [the District of
36 CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle],
37 a nation [whose language \[LEGALESE\] you will not understand](#), a nation of fierce
38 [coercive and fascist] countenance, which does not respect the elderly [assassinates them
39 by denying them healthcare through bureaucratic delays on an Obamacare waiting list]
40 nor show favor to the young [destroying their ability to learn in the public FOOL system].
41 And they shall eat the increase of your livestock and the produce of your land [[with "trade
42 or business" franchise taxes](#)], until you [and all your property] are destroyed [[or
43 STOLEN/CONFISCATED](#)]; they shall not leave you grain or new wine or oil, or the
44 increase of your cattle or the offspring of your flocks, until they have destroyed you.
45 [[Deut. 28:43-51](#), Bible, NKJV]***

46 You cannot MIX or comingle PRIVATE property with PUBLIC property without converting the PRIVATE property
47 ownership from absolute to qualified. You must keep them SEPARATE at all times and it is the MAIN and MOST
48 IMPORTANT role of government to maintain that separation. Governments, after all, are created ONLY to protect private

property and the FIRST step in that protection is to protect PRIVATE property from being converted to PUBLIC property. For proof, see:

Separation Between Public and Private Course, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

What Congress is doing is abusing its own property to in effect create "de facto public offices" within the government, in violation of 4 U.S.C. §72, as is proven in:

Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

This is how we describe the reason why people should avoid privileges and thereby avoid possession, custody, use, or "benefit" of government/public property on the opening page of our site:

"People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. Click Here (<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>) for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph."

[SEDM Opening Page; <http://sedm.org>]

"Non-resident Non-Person" or "non-person" are synonymous with "transient foreigner", "in transitu", and "stateless" (in relation to the national government). We invented this term. The term does not appear in federal statutes because statutes cannot even define things or people who are not subject to them and therefore foreign and sovereign. The term "non-individual" used on this site is equivalent to and a synonym for "non-person" on this site, even though STATUTORY "individuals" are a SUBSET of "persons" within the Internal Revenue Code. Likewise, the term "private human" is also synonymous with "non-person". Hence, a "non-person":

1. Retains their sovereign immunity. They do not waive it under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 or the longarm statutes of the state they occupy.
2. Is protected by the United States Constitution and not federal statutory civil law.
3. May not have federal statutory civil law cited against them. If they were, a violation of Federal Rule of Civil Procedure 17 and a constitutional tort would result if they were physically present on land protected by the United States Constitution within the exterior limits of states of the Union.
4. Is on an equal footing with the United States government in court. "Persons" would be on an UNEQUAL, INFERIOR, and subservient level if they were subject to federal territorial law.

Don't expect vain public servants to willingly admit that there is such a thing as a human "non-person" who satisfies the above criteria because it would undermine their systematic and treasonous plunder and enslavement of people they are supposed to be protecting. However, the U.S. Supreme Court has held that the "right to be left alone" is the purpose of the constitution. *Olmstead v. United States*, 277 U.S. 438. A so-called "government" that refuses to leave you alone or respect or protect your sovereignty and equality in relation to them is no government at all and has violated the purpose of its creation described in the Declaration of Independence. Furthermore, anyone from the national or state government who refuses to enforce this status, or who imputes or enforces any status OTHER than this status under any law system other than the common law is:

1. "purposefully availing themselves" of commerce within OUR jurisdiction.
2. STEALING, where the thing being STOLEN are the public rights associated with the statutory civil "status" they are presuming we have but never expressly consented to have.
3. Engaging in criminal identity theft, because the civil status is associated with a domicile in a place we are not physically in and do not consent to a civil domicile in.
4. Consenting to our Member Agreement.
5. Waiving official, judicial, and sovereign immunity.
6. Acting in a private and personal capacity beyond the statutory jurisdiction of their government employer.
7. Compelling us to contract with the state under the civil statutory "social compact".
8. Interfering with our First Amendment right to freely and civilly DISASSOCIATE with the state.
9. Engaged in a constitutional tort.

If freedom and self-ownership or "ownership" in general means anything at all, it means the right to deny any and all others, including governments, the ability to use or benefit in any way from our body, our exclusively owned private property, and our labor.

"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] 'one of the most essential sticks in the bundle of rights that are commonly characterized as property.' " [Loretto v. Teleprompter Manhattan CATV Corp.](#), 458 U.S. 419, 433 (1982), quoting [Kaiser Aetna v. United States](#), 444 U.S. 164, 176 (1979).

[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]

"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation."
[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]

FOOTNOTES:

[11] See, e. g., [United States v. Pueblo of San Ildefonso](#), 206 Ct.Cl. 649, 669-670, 513 F.2d. 1383, 1394 (1975); [United States v. Lutz](#), 295 F.2d. 736, 740 (CA5 1961). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." [International News Service v. Associated Press](#), 248 U.S. 215, 250 (1918) (dissenting opinion).

If you would like a W-8 form that ACCURATELY describes the withholding and reporting status of a "non-resident non-person", see:

W-8SUB, Form #04.231
<https://sedm.org/Forms/04-Tax/2-Withholding/W-8SUB.pdf>

4.1.26 "Advice" or "legal advice"

The term "advice" or "legal advice" means education about tools, facts, remedies, and options for making your own informed choice. It does not include any method of: 1. Transferring liability or responsibility from the person asking to the person

responding; 2. Anything that could be classified as "legal advice" or "law practice" as used in any statute or enacted law; 3. Anything that could be classified as factual or a basis for belief or reliance upon the person asked in connection with commercial speech subject to government protection or regulation.

4.1.27 Socialism

The term "socialism" means any attempt by any government to use civil legislation to abolish private property or to convert private property ownership to public property, public rights, or privileges, whether by consent or by theft. "Ownership" and "control" are synonymous for the purpose of this definition. Such property includes land, labor, physical objects, chattel property, or constitutional rights.

Examples of the implementation of socialism include the following activities by the government:

1. Government Franchises and licensing. See:

Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

2. Civil statutes when enforced against those not consensually serving WITHIN the government. See:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

3. Domicile, which is a civil statutory protection franchise. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

4. Income and excise taxation. See:

The "Trade or Business" Scam, Form #05.001
<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>

5. Extraterritorial civil enforcement under the COLOR, but without the actual AUTHORITY of law. against parties not domiciled within the jurisdiction or venue doing the enforcement. See:

Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

6. Any attempt to change the [civil status \(Form #13.008\)](#) of parties situated extraterritorially without the exclusive jurisdiction of the lawmaker with or without their express or implied [consent \(Form #05.003\)](#). The result is that they are made to APPEAR as parties domiciled within the civil jurisdiction or venue of the lawmaker. See:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

7. Any attempt to offer a "benefit" or franchise without recognizing or enforcing the right to NOT participate or to quit on any and every form administering the program. Thus, the program is TREATED as mandatory by fiat but in fact is voluntary. This violates the common law maxim that you have a right to refuse a "benefit". See:

Avoiding Traps in Government Forms Course, Form #12.023
<https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf>

The result of implementing socialism through civil legislation is ultimately to abolish constitutional or common law protections for property, and to replace them with legislatively granted civil privileges that come with obligations and a corresponding surrender of said rights. Below is how we describe this process on the opening page of our website:

"People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, [special or civil status](#), exemptions, privileges, or special treatment. All such pursuits of government services or property require [individual and lawful consent](#) to [a franchise](#) and the surrender of [inalienable constitutional rights](#) AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All [just rights](#) spring from responsibilities/obligations under the [laws of a higher power](#). If that higher power is God, you can be [truly and objectively free](#). If it is government, you are [guaranteed to be a slave](#) because they can lawfully set the cost of their

property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. Click Here (<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>) for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph.”
[SEDM Website Opening Page; <http://sedm.org/>]

For the purpose of this definition "socialism" does NOT include "social control over the means of production" as most contemporary reference sources FALSELY identify it. Early dictionaries defined it consistent with our definition but over the years, the word has fairly recently been redefined to REMOVE the mention of abolition of private property from the definition. This was done so that statist would conveniently stop having to APOLOGIZE for government theft through the legislative process. For examples of this phenomenon, see:

Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "socialism"
<https://famguardian.org/TaxFreedom/CitesByTopic/Socialism.htm>

It is important to emphasize here that when you want to stop public opposition to a government activity such as theft or conversion of private property, the easiest way is to redefine terms so that there is no word that accurately refers to the activity that is being opposed. The result is that you have eliminated vocabulary that could describe the thing being opposed, and thus to eliminate the political opposition entirely. This approach, in fact, is the heart of the modern phenomenon of "Identity politics": Control public opinion and public opposition by controlling language.

An important goal of this website is to ELIMINATE all forms of socialism as defined here, and thus to restore the supremacy of individual rights over governmental rights to our political and democratic processes and institutions. For details on the evils of socialism, see:

1. Socialism: The New American Civil Religion, Form #05.016
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>
2. Social Security: Mark of the Beast, Form #11.407
<http://famguardian.org/Publications/SocialSecurity/TOC.htm>

4.1.28 "Grant" or "loan"

The term "grant" or "loan", in the context of this website and especially in relation to any type of property or right or to "franchises" generally, means a temporary conveyance or transfer of physical custody or possession of absolutely owned property with legal strings or conditions attached by the grantor in which there are no moities or usufructs over the property held or reserved by the party to whom the property is loaned or temporarily conveyed.

1. The grantor or lender is the "Merchant" under U.C.C. §2-104(1).
2. The recipient or borrower of the property conveyed is the "Buyer" under U.C.C. §2-103(1)(a).
3. The property loaned can include land, physical/chattel property, rights, or privileges.
4. The legal relation or "privity" created between the grantor and the borrower or recipient is referred to as a "franchise". All franchises are contracts or agreements of one kind or another. Franchises are defined as "a privilege [meaning "property"] in the HANDS of a subject". Receipt of the property by the Buyer, in fact is what MAKES them the "subject"
5. The regulation of the property is done through the civil statutory code, which assigns both rights and obligations to the Merchant (grantor) and the Buyer.
6. Upon voluntary acceptance of the property by the Buyer, a civil status is assigned to both the BUYER and the MERCHANT fixing the relations between them under the privity. Such civil statuses might include "citizen",

"resident", "person" (under the civil statutory franchise code), "taxpayer" (under the income tax code), "driver" (under the vehicle code), etc.

7. The CIVIL STATUTORY STATUS assigned to the MERCHANT and the BUYER after the property is accepted constitutes a type of "membership". A "citizen", for instance, is a BUYER of government civil statutory protection franchise services, and also a "MEMBER" of a club called "GOVERNMENT" (a corporation) that delivers said services.
8. Both CIVIL STATUTORY RIGHTS (PRIVILEGES) and OBLIGATIONS attach to the civil status assigned to the parties and these RIGHTS and OBLIGATIONS are the method of controlling and managing the property until it is "RETURNED" or SURRENDERED by the Buyer to the GRANTOR. The civil statutory OBLIGATIONS assigned to the civil status of the BUYER become corresponding RIGHTS on the part of the MERCHANT/GRANTOR and vice versa.
9. If the property, benefit, or privilege was never voluntarily accepted, then the OBLIGATIONS that attach to it cannot be enforced against the BUYER by the MERCHANT in court. Under the common law, you have a RIGHT to refuse to accept property, "benefits", etc. in every scenario, even after you applied for them.
10. In pursuing and accepting the property of the Merchant, the Buyer surrenders ABSOLUTE ownership of a part of his or her otherwise private property and is therefore subject to regulation of him or her self by the Merchant. If the Merchant is a government, then they or their activities in which the granted property are used become "infected with a public interest" and are subject to civil statutory regulation.

The above process, in fact, has been admitted by the U.S. Supreme Court and the California Supreme Court as the "very essence" of CIVIL government:

"When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. HN4 "A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and has found expression in the maxim sic utere tuo ut alienum non loedas. From this source come the HN5 police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things." Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2."

"From this it is apparent that, down to the time of the adoption of the Fourteenth Amendment, it was not supposed that statutes regulating the use, or even the price of the use, of private property necessarily deprived an owner of his property without due process of law. Under some circumstances they may, but not under all. The amendment does not change the law in this particular: it simply prevents the States from doing that which will operate as such a deprivation."

1 "This brings us to inquire as to the principles upon which this power of regulation rests, in
2 order that we may determine what is within and what without its operative effect. Looking,
3 then, to the common law, from whence came the right which the Constitution protects, we
4 find that when private property is "affected with a public interest, it ceases to be juris
5 privati only." This was said by Lord Chief Justice Hale more than two hundred years ago,
6 in his treatise *De Portibus Maris*, 1 Harg. Law Tracts, 78, and has been accepted without
7 objection as an essential element in the law of property ever since. Property does become
8 clothed with a public interest when used in a manner to make it of public consequence, and
9 affect the community at large. When, therefore, one devotes his property to a use in which
10 the public has an interest, he, in effect, grants to the public an interest in that use, and must
11 submit to be controlled by the public for the common good, to the extent of the interest he
12 has thus created. He may withdraw his grant by discontinuing the use; but, so long as he
13 maintains the use, he must submit to the control."
14 [[Munn v. Illinois, 94 U.S. 113 \(1876\)](#)]

15
16 " It will be found that from the earliest periods of our history the State laws regulated the
17 privilege of the elective franchise within their respective limits, and that these laws were
18 exactly such as local interests, peculiar conditions, or supposed policy dictated, and that
19 it was never asserted that the exclusion of any class of inhabitants from the privilege of
20 voting amounted to an interference with the privileges of the excluded class as citizens. As
21 was well said by Judge Mills, of the Court of Appeals of Kentucky: "The mistake on the
22 subject arises from not attending to a sensible distinction between political and civil rights.
23 The latter constitute the citizen, while the former are not necessary ingredients. A State
24 may deny all her political rights to an individual, and yet he may be a citizen. The rights
25 of office and suffrage are political purely, and are denied by some or all the States to
26 part of their population, who are still citizens. A citizen, then, is one who owes the
27 Government allegiance, service, and money by way of taxation, and to whom the
28 Government, in turn, grants and guarantees liberty of person and of conscience, the
29 right of acquiring and possessing [PUBLIC, not PRIVATE] property [WHY?, because
30 the CONSTITUTION protects PRIVATE property ONLY, and CIVIL STATUTES
31 protect PUBLIC PROPERTY. You have to SURRENDER some portion of the
32 protections of the CONSTITUTION in order to acquire, use, or "benefit" from PUBLIC
33 property], of marriage and the social relations, of suit and defense, and security of
34 person, estate, and reputation. These, with some others which might be enumerated,
35 being guaranteed and secured by Government, constitute a citizen. To aliens we extend
36 these privileges by courtesy; to others we secure them--to male as well as female--to the
37 infant as well as the person of hoary hairs." (1 Litt. R. 342.)"
38 [*Van Valkenburg v. Brown*, 43 Cal. 43 (1872)]

39 In the context of GOVERNMENT grants of property:

- 40 1. This conveyance of property is the foundation of ALL governmental civil statutory privileges and most civil statutory
41 law, as explained in [Why Civil Statutory Law is Law for Government and Not Private Persons, Form #05.037](#).
- 42 2. The constitutional authority for such grants is [Article 4, Section 3, Clause 2](#) of the U.S. Constitution, which allows
43 Congress to "dispose of and make all needful rules and Regulations respecting the Territory or other property
44 belonging to the United States".
- 45 3. Those receiving the granted property and the associated privileges essentially waive their constitutional rights under
46 the Brandeis Rules of the U.S. Supreme Court, [Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466](#)
47 [\(1936\)](#).
- 48 4. Individual agencies of the government are created to manage the SPECIFIC property and franchises and privileges
49 loaned or granted, and such agencies DO NOT have jurisdiction over PRIVATE parties NOT in receipt or eligible to
50 receive said property. These agencies are referred to as "the administrative state". [Click here](#) for details on the
51 "Administrative State".
- 52 5. Types of property that may be loaned must fit within [5 U.S.C. §553\(a\)\(2\)](#).

6. In the context of GOVERNMENT property so granted or loaned to the public, the party in temporary custody of the property is legally defined as a "public officer" subject to DIRECT legislative control of Congress WITHOUT the need for implementing regulations pursuant to [5 U.S.C. §553\(a\)](#), and [44 U.S.C. §1505\(a\)\(1\)](#).

*"**Public office.** The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.
[Black's Law Dictionary, Fourth Edition, p. 1235]*

7. Jurisdiction over government property extends EXTRATERRITORIALLY and INTERNATIONALLY, and thus grants can occur anywhere in the world and may cross state borders and reach into a Constitutional state of the Union.
8. There is NO CONSTITUTIONAL AUTHORITY EXPRESSLY GRANTED that allows government to abuse government property to CREATE new public offices. This is a usurpation and an invasion of the states in violation of [Article 4, Section 4](#) of the Constitution.
9. This source of jurisdiction is the MAIN source of jurisdiction in the case of the income tax, which is an excise tax and a franchise tax upon federal offices legislatively created by Congress but usually implemented ILLEGALLY and UNCONSTITUTIONALLY within states of the Union, as described in [Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052](#).

*"Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*

*But very different considerations apply to the **internal commerce or domestic trade** of the States. Over this commerce and trade Congress has **no power of regulation nor any direct control**. This power belongs **exclusively** to the States. **No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature**. The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. Congress cannot authorize [e.g. LICENSE using a Social Security Number] a trade or business within a State in order to tax it."
[License Tax Cases, [72 U.S. 462](#), 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]*

God vehemently forbids Christians from participating in any grants or loans of government property and warns Christians that they will be CURSED if they participate. This curse is the STRONGEST and SCARRIEST curse in all the bible:

Curses of Disobedience [to God's Laws]

1 *"The alien [Washington, D.C. is legislatively "alien" in relation to states of the Union]*
2 *who is among you shall rise higher and higher above you, and you shall come down*
3 *lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL*
4 *TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve*
5 *counterfeiting franchise], but you shall not lend to him; he shall be the head, and you*
6 *shall be the tail.*

7 *"Moreover all these curses shall come upon you and pursue and overtake you, until you*
8 *are destroyed, because you did not obey the voice of the Lord your God, to keep His*
9 *commandments and His statutes which He commanded you. And they shall be upon you*
10 *for a sign and a wonder, and on your descendants forever.*

11 *"Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for*
12 *the abundance of everything, therefore you shall serve your [covetous thieving lawyer]*
13 *enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in*
14 *need of everything; and He will put a yoke of iron [franchise codes] on your neck until He*
15 *has destroyed you. The Lord will bring a nation against you from afar [the District of*
16 *CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle],*
17 *a nation whose language [LEGALESE] you will not understand, a nation of fierce*
18 *[coercive and fascist] countenance, which does not respect the elderly [assassinates them*
19 *by denying them healthcare through bureaucratic delays on an Obamacare waiting list]*
20 *nor show favor to the young [destroying their ability to learn in the public FOOL system].*
21 *And they shall eat the increase of your livestock and the produce of your land [with "trade*
22 *or business" franchise taxes], until you [and all your property] are destroyed [or*
23 *STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the*
24 *increase of your cattle or the offspring of your flocks, until they have destroyed you.*
25 *[Deut. 28:43-51, Bible, NKJV]*

26 The reason God forbids becoming and borrower of government property is that the legal relation created by the transaction,
27 being a franchise or contract or agreement, causes conflicts of interest and allegiance and sin.

28 *"The rich rules over the poor,*
29 *And the borrower is servant to the lender."*
30 *[Prov. 22:7, Bible, NKJV]*

31

32 *"You shall make no covenant [contract or franchise] with them [foreigners, pagans],*
33 *nor with their [pagan government] gods [laws or judges]. They shall not dwell in your*
34 *land [and you shall not dwell in theirs by becoming a "resident" or domiciliary in the*
35 *process of contracting with them], lest they make you sin against Me [God]. For if you*
36 *serve their [government] gods [under contract or agreement or franchise], it will surely*
37 *be a snare to you."*
38 *[Exodus 23:32-33, Bible, NKJV]*

39

40 *"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore*
41 *to your fathers; and I said, 'I will never break My covenant with you. And you shall make*
42 *no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of*
43 *this [corrupt pagan] land; you shall tear down their [man/government worshipping*
44 *socialist] altars.' But you have not obeyed Me. Why have you done this?*

45 *"Therefore I also said, I will not drive them out before you; but they will become as*
46 *thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!]*
47 *to you."*

1 So it was, when the Angel of the LORD spoke these words to all the children of Israel, that
2 the people lifted up their voices and wept.
3 [Judges 2:1-4, Bible, NKJV]

4 God also says that the only thing that Christians are allowed to be in relation to any and all governments is Merchants.

5 *"For the Lord your God will bless you just as He promised you; **you shall lend to many***
6 ***nations, but you shall not borrow**; you shall reign over many nations, but they shall not*
7 *reign over you."*
8 [Deut. 15:6, Bible, NKJV]

9 *"The Lord will open to you His good treasure, the heavens, to give the rain to your land in*
10 *its season, and to bless all the work of your hand. **You shall lend to many nations, but***
11 ***you shall not borrow**."*
12 [Deut. 28:12, Bible, NKJV]

13 *"**You shall not charge interest to your brother**--interest on money or food or anything that*
14 *is lent out at interest."*
15 [Deut. 23:19, Bible, NKJV]

16 *"To a foreigner you may charge interest, but to your brother you shall not charge interest,*
17 *that the Lord your God may bless you in all to which you set your hand in the land which*
18 *you are entering to possess."*
19 [Deut. 23:20, Bible, NKJV]

20 For more information on the subject of franchises and their perils and pitfalls, see:

- 21 1. Government Franchises Course, Form #12.012
22 <https://sedm.org/Forms/FormIndex.htm>
- 23 2. Government Instituted Slavery Using Franchises, Form #05.030
24 <https://sedm.org/Forms/FormIndex.htm>
- 25 3. How Scoundrels Corrupted Our Republican Form of Government, Family Guardian Fellowship (OFFSITE LINK)
26 <https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

27 For tools and tactics to FIGHT the EXTRATERRITORIAL abuse of franchises and the UNCONSTITUTIONAL grants of
28 government property that implement them, see:

- 29 1. Hot Issues: Laws of Property, SEDM
30 <https://sedm.org/laws-of-property/>
- 31 2. Authorities on Rights as Property, SEDM Blog
32 <https://sedm.org/authorities-on-rights-as-property/>
- 33 3. Path to Freedom, Form #09.015, Sections 5.3 through 5.8
34 <https://sedm.org/Forms/FormIndex.htm>
- 35 4. Separation Between Public and Private Course, Form #12.025
36 <https://sedm.org/Forms/FormIndex.htm>
- 37 5. Private Right or Public Right? Course, Form #12.044
38 <https://sedm.org/Forms/FormIndex.htm>
- 39 6. Lawfully Avoiding Government Obligations Course, Form #12.040
40 <https://sedm.org/Forms/FormIndex.htm>
- 41 7. Proof of Claim: Your Main Defense Against Government Greed and Corruption, Form #09.073
42 <https://sedm.org/Forms/FormIndex.htm>
- 43 8. Federal Enforcement Authority Within States of the Union, Form #05.032
44 <https://sedm.org/Forms/FormIndex.htm>
- 45 9. Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
46 <https://sedm.org/Forms/FormIndex.htm>
- 47 10. Administrative State: Tactics and Defenses Course, Form #12.041
48 <https://sedm.org/Forms/FormIndex.htm>

4.1.29 Benefit

The term "Benefit" means advantage; profit; fruit; gain; interest, and real consideration associated with a specific transaction which conveys a right or property interest to a specific status, class, or group lawfully requesting said "benefit" which:

1. Is not dispensed by an administrative agency of any state or federal government, but by a private individual.
2. Does not require the recipient to be an officer, agent, employee, or "personnel" within any government.
3. Is not called a "tax" or collected by the Internal Revenue Service, but is clearly identified as "private business activity beyond the core purposes of government".
4. Does not confer upon the grantor any form of sovereign, official, or judicial immunity.
5. Is legally enforceable in OTHER than a franchise court or administrative agency. That is, may be heard in equity within a true, Article III constitutional court and NOT a legislative franchise court.
6. True constitutional courts are provided in which to litigate disputes arising under the benefit and those with said disputes are not required to exhaust administrative remedies with an executive branch agency BEFORE they may litigate. These constitutional courts are required to produce evidence that they are constitutional courts with OTHER than strictly legislative franchise powers when challenged by the recipients of said benefits.
7. The specific value of the consideration can be quantified at any time.
8. Monies paid in by the recipient to subsidize the program are entirely refundable if the benefits they pay for have not been received or employed either partially or in full.
9. Has all contributions paid in refunded if they die and never collect any benefits.
10. Participation in the program is not also attached to any other government program. For instance, being a recipient of "social insurance" does not also make the recipient liable for unrelated or other federal taxes.
11. The term "benefit" must be defined in the franchise agreement that dispenses it, and its definition may not be left to the subjective whims of any judge or jury.
12. If the "benefit" is financial, then it is paid in lawful money rather than Federal Reserve Notes, which are non-interest bearing promissory notes that are not lawful money and are backed by nothing.
13. The franchise must expressly state that participation is voluntary and that no one can be prosecuted or punished for failure to participate.
14. The identifying numbers, if any, that administer the program may not be used for identification and may not be shared with or used by any nongovernmental entity other than the recipient him or her self.
15. May not be heard by any judge, jurist, or prosecutor who is a recipient or beneficiary of the same benefit, because this would cause a conflict of interest in violation of 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455, 18 U.S.C. §597, and 18 U.S.C. §201.
16. During any litigation involving the "benefit", both the grantor and the grantee share equal obligation to prove that equally valuable consideration was provided to the other party. Note that Federal Reserve Notes do not constitute lawful money or therefore consideration.
17. Does NOT include a return of monies UNLAWFULLY withheld against a non-taxpayer. It is not a commercial "benefit" or "purposeful availment" to have property STOLEN by a corrupted government returned to me.

Anything offered by the government that does not meet ALL of the above criteria is herein defined as an INJURY and a TORT. Compelled participation is stipulated by both parties as being slavery in criminal violation of 18 U.S.C. §1583, 42 U.S.C. §1994, and the Thirteenth Amendment.

Receipt and/or acceptance of any government form by any government constitutes consent by the recipient of the application to use the above definition of "benefit" in any disputes that might arise over such acceptance. Government recipient and its agents, employees, and assignees forfeit their right as private individuals acting in any government office to define the term "benefit" and agree to use ONLY the above definition.

Because the Submitter is ineligible for and does not seek any kind of "benefit" by submitting any of the attached forms, the Submitter and Recipient both stipulate that the perjury statement has no "materiality" or legal actionability because it cannot produce any kind of injury to the Recipient.

Parties stipulate that this definition applies to any and all past, present, or future forms they receive by any parties concerned with this disclaimer.

More on the subject of "benefit" can be found at:

1. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "benefit" -legal authorities on "benefit"

<https://famguardian.org/TaxFreedom/CitesByTopic/Benefit.htm>

2. Sovereignty and Freedom Points and Authorities, Litigation Tool #10.018, Section 4.10: "Benefits": ALLEGED but not ACTUAL public rights/property that CANNOT form lawful "consideration" in forming a lawful contract or civil statutory obligation
<https://sedm.org/Litigation/10-PracticeGuides/PointsAuth.pdf>
3. 5 U.S.C. §553(a)(2)-Subjects those in receipt of "benefits" to DIRECT LEGISLATIVE CONTROL of congress. Watch out!
<https://www.law.cornell.edu/uscode/text/5/553>
4. Government Instituted Slavery Using Franchises, Form #05.030-Government "benefits" are illegally abused to establish unconstitutional franchises in the constitutional states of the Union
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>
5. The Government "Benefits" Scam, Form #05.040 (Member Subscriptions)
<https://sedm.org/product/the-government-benefits-scam-form-05-040/>
6. Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051 (Member Subscriptions)
<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>
7. Proof: How to Prove in Court that a So-Called Tax is REALLY an Illegal Extortion*** (Member Subscriptions)
<https://sedm.org/proof-how-to-prove-in-court-that-a-so-called-tax-is-really-an-illegal-extortion/>
8. U.S. Constitution, Article 4, Section 3, Clause 2- Gives Congress the authority to DIRECTLY and legislatively control all those in receipt of "benefits", which are government property on loan to the recipient with legal strings attached.
<https://law.justia.com/constitution/us/article-4/>
9. Why the Income Tax is a Privilege Tax Upon Government Property, Form #04.404 (Member Subscriptions)-income taxation is administered as a "benefit". The OFFICE of "taxpayer", "person", "individual", "citizen", and "resident" are legislatively created and granted property and all those who use or invoke these statuses are in receipt of a "benefit". If you doubt this, visit ID.ME and try to sign up for an account with the IRS. They are identified as a "benefit",
<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

4.1.30 Weaponization of Government

The process by which a classically governmental function is abused as a method to destroy or war against private rights, private property, common law remedies, constitutional remedies, or even personal choice and autonomy. The PERPETRATOR we call the RECRUITER and the VICTIM we call the PEON, VASSAL, and SLAVE. We describe the HAZARDS of participating in, NOT opposing, or benefiting from the "weaponization of government" on the opening page of our site as follows:

People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. Click Here for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph.

Below are the elements describing exactly what we mean by this term:

1. The result is:

1.1. An INVOLUNTARY conversion of PRIVATE property, PRIVATE rights, and PRIVATE civil status into PUBLIC property, PUBLIC rights, and PUBLIC civil statutory status respectively.

1.2. A destruction of the legal separation between PUBLIC and PRIVATE. See:

Separation Between Public and Private Course, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

1.3. A government that has superior or supernatural powers in relation to the people it was created to SERVE from below rather than RULE from above.

1.4. The creation of a ALLEGED but not ACTUAL consensual connection between a fictional office (the "franchisee") in the government and an otherwise PRIVATE human OUTSIDE the government.

1.5. A destruction of equality of treatment and protection between the GOVERNORS and the GOVERNED. See:

Requirement for Equal Protection and Equal Treatment, Form #05.033
<https://sedm.org/Forms/05-MemLaw/EqualProtection.pdf>

1.6. The establishment of a civil or governmental religion in violation of the First Amendment. See:

Socialism: The New American Civil Religion, Form #05.016
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>

2. Such activities:

2.1. Work a purpose OPPOSITE of that of establishing government in the first place, which is EXCLUSIVELY the protection of PRIVATE property and PRIVATE rights.

2.2. Violate the Bill of Rights of the constitution of the government doing so.

2.3. Violate the oath of office of those working in the government who conspire to engage in such activities.

2.4. Result in a conversion of the government engaging in them from DE JURE to DE FACTO. See:

De Facto Government Scam, Form #05.043
<https://sedm.org/Forms/05-MemLaw/CorpGovt.pdf>

3. The method of instituting this weaponization of government usually consists of illegal "bundling" of a WANTED service with an UNWANTED service, privilege or franchise. This makes it IMPOSSIBLE to avoid the UNWANTED service, privilege, or franchise, because:

3.1. The government has a monopoly on the WANTED aspect of the product or service.

3.2. Private industry is usually legally prohibited from offering the WANTED service. In some cases, the offering of the service is a criminal offense, in order to ENSURE and protect this criminal mafia racketeering.

4. The techniques described herein fit in the following CRIMINAL categories:

4.1. Extortion. [18 U.S.C. §872](#). They are coercing you into a public office and franchise so you become a usually ONGOING sponsor of their criminal activities.

4.2. Offer to procure appointive public office. [18 U.S.C. §210](#). Offering you the UNWANTED portion of the service, which is usually a public office, constitutes a criminal offer to procure the public office with the bribe of "benefits" that you technically aren't eligible for.

4.3. Bribery of public officials and witnesses. [18 U.S.C. §201](#). The monies paid to the government under the coerced public office or fiction occupied by the victim of this extortion constitute bribes to a public official to treat you AS IF you are a real de jure public officer and to pay you "benefits" that only public officers can collect.

4.4. Conflict of interest. [18 U.S.C. §208](#). A criminal financial conflict of interest is created in the people offering the WANTED service to market and compel the UNWANTED service to increase their revenues.

4.5. Peonage and slavery. [18 U.S.C. §1581](#) and Thirteenth Amendment. The civil statutory obligations that attach to the compelled office that the VICTIM involuntarily occupies constitute PEONAGE.

4.6. Impersonating a public officer. [18 U.S.C. §912](#). Government can only regulate its own officers. Those officers must, in turn, be lawfully elected, appointed, or hired and they NEVER are. Following proper appointment, election, or hiring protocol would, after all, inform you that you are a volunteer, and they can NEVER admit that they need your consent to regulate you.

5. Those in government engaging in such activities protect themselves from criminal consequences by:

5.1. Abusing "equivocation" of key terms to make PUBLIC and PRIVATE indistinguishable.

5.2. Playing stupid.

5.3. Ensuring that people administering the program are NOT legally responsible or accountable for anything they say, write, or publish. See:

- 5.4. Compartmentalizing service personnel at the bottom by telling them to learn PROCEDURES and NEVER actual LAW. Thus, they can claim plausible deniability and never be prosecuted personally for their criminal activities. .
6. To ensure the continuation and protection of the weaponization of government, the corrupt government agents and employees engaging in it will:
 - 6.1. Hide forms for quitting the programs.
 - 6.2. Describe the program as "voluntary" but provide no regulations, forms, or internal procedures to QUIT.
 - 6.3. Not offer options on the application for the WANTED service any method of UNBUNDLING or REMOVING the UNWANTED service from the transaction.
 - 6.4. Define no statutory or regulatory terms which recognize ANYONE who has not volunteered for the UNWANTED service so that their PRIVATE rights can be legally recognized and even ADMINISTRATIVELY enforced.

The above tactics, in a PRIVATE business context, would be referred to as "marketing".
7. To ensure that the government is never victimized by the above tactics by PRIVATE people using it against THEM, the corrupted and covetous government must implement SOVEREIGN IMMUNITY in its own case but DENY it to the sovereign people they serve:
 - 7.1. Government must claim to have sovereign immunity which requires EXPRESS WRITTEN CONSENT to surrender that sovereign immunity. By the way, the CONSTITUTION DOES NOT AUTHORIZE sovereign immunity and there is therefore NO SUCH THING! See: [Najim v. CACI Premier Tech., Inc., 368 F.Supp.3d. 935 \(2019\)](#).
 - 7.2. The Sovereign People from whom that sovereign immunity was delegated DO NOT have sovereign immunity. Thus, sovereign immunity is a "supernatural power" the people as the "natural" cannot and do not possess.
 - 7.3. All people signing up for the SCAM UNWANTED service do so through usually IMPLIED rather than EXPRESS consent. Thus, they are UNAWARE that they are "electing" themselves ILLEGALLY into a public office and joining the government by doing so. This constitutes fraud, because they are NOT ALLOWED to know that is what they are doing, and if they knew that was what they were doing, they would DEMAND the ability to NOT CONSENT to the UNWANTED service connected to the office and receive only the WANTED service or product. See:

8. Synonyms for this process include: adhesion contract, unconscionable contract, compelled franchise, compelled privilege, SLAVERY, PEONAGE, HUMAN TRAFFICKING.

Examples of government programs which usually implement "weaponization of government" as described above:

1. Passports. Most people use this document mainly for INTERSTATE travel and ID to conduct commerce, neither of which can be or should be "privileged" or regulated. Foreign travel use requests the PRIVILEGE of protection abroad is only secondary and should be optional. The Department of State should offer TWO passports, one for INTRASTATE use and one for FOREIGN use, so that you have a "NONPRIVILEGED" version of the document that you can obtain WITHOUT the need to collect an SSN or TIN. Forcing applicants to provide an SSN or TIN to receive ANY kind of passport essentially bundles a DE FACTO public office with otherwise PRIVATE travel. That office is called "STATUTORY citizen" under [8 U.S.C. §1401](#), 26 C.F.R. §1.1-1(c), etc. See:
Getting a USA Passport as a "State National", Form #10.013
<https://sedm.org/product/getting-a-usa-passport-as-a-state-national-form-10-013/>
2. State "resident" ID. This id is intended primarily for use in commerce, and most people, if they had a choice, would AVOID the STATUTORY "resident" civil status and public office bundled with it.
3. Driver licensing. This id is intended primarily for use in commerce, and most people, if they had a choice, would AVOID the STATUTORY "driver" civil status and public office bundled with it.
4. Marriage licensing. Licensed marriage is a civil statutory privilege and a three party contract. A licensed marriage is polygamy with the state, and the state is the only one of the three parties who can rewrite the contract at will any time they want. Thus, the state literally becomes god as the only party with superior or supernatural powers in violation of the First Amendment.
5. Professional licensing. Government uses licenses to institute in effect ECONOMIC EMBARGOES on all those who don't follow their rules. If you don't follow their rules and regulations, they take away the license. In the absence of a license, you lose business and could literally starve in some cases. The result is GENOCIDE.
6. Building permits. It's not your property if you need permission from the government to do anything to it that doesn't demonstrably injure others.

7. Property taxes. Through the Torrens Act and the building code, the state claims a shared ownership in the property and acquires absolute ownership. If you don't pay the property tax, they literally STEAL your property and all your equity. The absolute owner is the only party who can deprive other parties of the use of the property so they are the absolute owner.
8. The Federal Reserve counterfeiting franchise. We presently have "currency", and not "money". Currency in turn is a debt instrument, and the effective lender is the PRIVATE, for profit, Federal Reserve. Every attempt to regulate the use of this fiat currency through money laundering statutes presupposes that those handling it are engaged in a public office in the national government. See:
- 8.1. *The Money Scam*, Form #05.041
<https://sedm.org/Forms/05-MemLaw/MoneyScam.pdf>
- 8.2. *The Money Laundering Enforcement Scam*, Form #05.044
<https://sedm.org/Forms/05-MemLaw/MoneyLaunderingScam.pdf>
9. Criminal courts, who will insist that you must be "REPRESENTED" essentially by a public officer and officer of the court with a criminal financial conflict of interest, or they won't allow litigation to proceed. See:
- Unlicensed Practice of Law*, Form #05.029
<https://sedm.org/product/unlicensed-practice-of-law-form-05-029/>

In the private commercial marketplace, such tactics by large corporations include the following:

1. The Google Android operating system:
 - 1.1. If phone manufacturers what to implement on their phone, must agree to use Google Search as their default search engine.
 - 1.2. Developers who want to sell their apps in the Google Play store must run all payments through the Google Play payment system and pay a commission to Google. They are NOT allowed to have their OWN private app store or payment platform.
2. The Apple IOS operating system. Vendors who want to offer their apps in the Apple Store must use the Apple payment platform and pay an exorbitant 30% of all revenues their app collects, even if it isn't the sale of their app initially. This is extortion.
3. The Microsoft Windows operating system. For years, Microsoft mandated that the Internet Explorer browser had to be installed as the default browser on all new PC's sold, or the manufacturer could not buy Windows to install on their computer.
4. Amazon marketplace. Third party vendors who sell on Amazon must agree in writing when they sign up to NEVER offer the products they sell on Amazon at a LOWER price than the Amazon price.
5. Banks. Most banks COMPEL you ILLEGALLY into a public office called a STATUTORY "U.S. Person" in order to open a bank account, even though it is ILLEGAL to occupy or elect yourself into such an office. They do this by refusing to accept the W-8 form and mandating the use of the W-9 form to open an account, even though the W-9 doesn't apply to most Americans. See:
"U.S. Person" Position, Form #05.053
<https://sedm.org/Forms/05-MemLaw/USPersonPosition.pdf>
6. Money Service Businesses (MSBs) such as Western Union. They require you to provide an SSN in order to obtain a reloadable gift card and claim that "the law" mandates this.
 - 6.1. Their basis for doing so is usually "anti-money laundering" statutes (not "laws", but "statutes") that DO NOT apply to the average American. See:
The Money Laundering Enforcement Scam, Form #05.044
<https://sedm.org/Forms/05-MemLaw/MoneyLaunderingScam.pdf>
 - 6.2. No law mandates that a state national and nonresident alien not engaged in the "trade or business" franchise must have or use an SSN or TIN, but they ILLEGALLY refuse to allow prospective cardholders to claim this status or avoid the SSN/TIN requirement. See:
About IRS Form W-8BEN, Form #04.202
<https://sedm.org/Forms/04-Tax/2-Withholding/W-8BEN/AboutIRSFormW-8BEN.htm>
7. Private employers accepting job applicants. They say you MUST fill out a W-4 and will not accept a W-8 in order to obtain a job, NOT as an "employee", but simply as a "worker" who is NOT a statutory government "employee". See
Federal and State Withholding Options for Private Employers, Form #09.001
<https://sedm.org/Forms/09-Procs/FedStateWHOptions.pdf>

The European Union has previously SANCTIONED large corporations to the tune of billions of dollars of penalties connected with the above tactics, which they label in court as "anti-competitive behavior". Why aren't they applying the SAME tactics to THEMSELVES, as far as the MONEY system? For instance, why aren't PRIVATE companies allowed to have private

money systems and not connect those who use them into a public office illegally? Every time someone tries to do this, they get RAIDED illegally under the guise of "know your customer rules" that don't apply to private people. This has happened with eGold, Bitclub, Liberty Dollar, National Commodity and Barter Association (NCBA), and MANY others. Litigating against these entities can only have one purpose: Protect a de facto monopoly on money that the Constitution does NOT EXPRESSLY authorize and which is therefore FORBIDDEN. See:

1. *The Money Scam*, Form #05.041
<https://sedm.org/Forms/05-MemLaw/MoneyScam.pdf>
2. *Why It is Illegal for You to Enforce Money Laundering Statutes In My Specific Case*, Form #06.046
<https://sedm.org/Forms/06-AvoidingFranch/MonLaundEnfIllegal.pdf>
3. *Money Laundering Enforcement Scam*, Form #05.044
<https://sedm.org/Forms/05-MemLaw/MoneyLaunderingScam.pdf>

The main purpose of ELIMINATING all "weaponization of government" as described above is to:

1. Pursue "justice", which is legally defined as the "right to be left alone" by everyone, INCLUDING and ESPECIALLY government. See:
What is "Justice"?, Form #05.050
<https://sedm.org/Forms/05-MemLaw/WhatIsJustice.pdf>
2. Restore the constitutional separation between PUBLIC and PRIVATE. The Constitution is a TRUST indenture, and the main "benefit" it delivers, in fact, is PRIVATE PROPERTY! See:
Separation Between Public and Private Course, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>
3. Restore government to it's DE JURE functions and eliminate all DE FACTO practices. See:
De Facto Government Scam, Form #05.043
<https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>
4. Eliminate the "Administrative State" that depends for its entire existence upon the ILLEGAL creation of the public offices that animate and implement the above FRAUD upon the people. See:
Administrative State: Tactics and Defenses Course, Form #12.041
<https://sedm.org/LibertyU/AdminState.pdf>
5. Eliminate the criminal activities and criminal financial conflicts of interest in both the judiciary and the legal profession created by the above which are extensively documented in:
Government Corruption, Form #11.401
<https://sedm.org/home/government-corruption/>

4.1.31 Natural law

For the purposes of this website and ministry, the term "natural law" is synonymous with the following behavior by civil government:

1. ALL property is absolutely owned.
2. The protection of private property is not regarded by anyone in government as "making law" ([Litigation Tool #01.009](#)), but rather a fulfillment of the main purpose of establishing government and the oath that all public officers take when accepting office. The CIVIL statutes DO NOT protect PRIVATE property, but PUBLIC property that became public by donating PRIVATE property to a public use, a public purpose, and/or a public office. In that sense, the current civil government ONLY PROTECTS ITSELF and its own PUBLIC property, and NEVER YOU or ANY HUMAN BEING at least from a CIVIL perspective! See:
Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051**
<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>
3. [Civil statutes \(Form #05.037\)](#) are not called "law", but civil service franchise contracts.
4. Only voting and jury service are privileges that can be CIVILLY regulated by default. Any other thing that is a voluntary privilege must be expressly signed up for and PAID for in writing on the annual tax return filed at the beginning of each year and only lasts for one year.
5. Government ID's are NOT used to change your civil status to a "resident" or "domiciliary". You remain PRIVATE when using government ID. See:

Hot Issues: Identification*, SEDM
<https://sedm.org/identification/>

6. No other [franchise or privilege \(Form #05.030\)](#) is or can be bundled with voting or jury service, such as [civil DOMICILE \(Form #05.002\)](#).
7. All government “civil services” must be requested IN WRITING at the beginning of each year and you only pay for what you ask for. The purpose of filing tax returns is to CONSENT to specific civil services you want and to pay for them in advance. Those who didn’t pay for them may not receive them. See [SEDM Disclaimer, Section 4.6](#) for a definition of “civil service”.
8. Everyone is subject to the criminal and common law, whether they consent or not.
9. Civil courts may not enforce civil statutory law upon any party UNLESS they expressly consented in writing to receive its benefits as public property. If they didn’t, only the common law and criminal law applies. That consent shall appear on the tax return filed annually.
10. Administrative tax enforcement is NOT permitted and not necessary, since all civil services consumed are prepaid annually in advance. If you don’t prepay, you don’t get the service.
11. Every government agent is personally accountable for the accuracy and truthfulness of EVERYTHING he or she communicates to the public that might have an adverse affect on PRIVATE property or PRIVATE rights. Thus, they are PRESUMED to be communicating under penalty of perjury at all times. If they lie, they are civilly penalized. ANONYMOUS communication or collection letters are FORBIDDEN. All must be signed by a human being.
12. All government “benefits” are regarded as “civil services” that must be 100% paid annually for by those who consume them AS THEY ARE USED. Use of public funds for charity is FORBIDDEN.
13. The filing of [information returns \(Form #04.001\)](#) such as the W-2 and 1099 are forbidden and a criminal offense of impersonating a public office. They are unnecessary if civil services are consented to and paid for annually and you don’t need to BE a public officer to consume civil services. Being a sponsor is sufficient to consume said services.
14. Consent must always be OVERT and in writing, and NEVER COVERT or implied through actions of any kind. See:

Hot Issues: Invisible Consent*, SEDM
<https://sedm.org/invisible-consent/>

For a system of government that implements the above and builds upon existing organic and statutory law, and which requires the least possible changes to the current system to implement, see:

Self Government Federation: Articles of Confederation, Form #13.002
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

4.1.32 United States

One of the most important and most abused phrases in government documents may be surprising to you. It’s the “United States.” The United States actually has four primary separate contexts and misinformed readers of government documentation may miss the entire point of any specific government document if they can’t correctly interpret which CONTEXT of the phrase “United States” is actually being referenced in the text. In the real estate field, the three most important things are LOCATION, LOCATION, and LOCATION. In the LEGAL field, the most important thing is CONTEXT of the terms used. Generally, only judges and lawyers understand all the available contexts and are able to discern context by deciphering the nuance in a statute. For the legally uninformed, all the contexts are considered equivalent and YOU as the reader are considered the target of every context in order to illegally expand the jurisdiction and power of the court and the government.

As a result of purposeful confusion by the government we use narrow and well defined TERMS to distinguish between the various CONTEXTS of the United States (and other words of art as well). As you’ll see below there are four primary separate contexts for the meaning of the “United States”. In this Form/Document when we write material describing the United States we use separate terms to describe each one of the potential meanings. However; when we are quoting legal opinions that aren’t our original creation we leave the term “United States” in the quotation, but we use a convention of *, **, ***, **** usually in brackets (“[**]”) when the words “United States” appear to help readers decipher which context was implied by the context.

By the end of this document, you should have a thorough understanding of how the National Government and the enclaves, territories and possessions, which is the same Congress, have colluded with States to unlawfully usurp power and constitutional rights from average Americans and they do it through the use of purposefully convoluted law and intentionally disguised words of art. The ultimate result is an immense financial crime against the American people. You should be able to recognize DECEPTIVE WORDS OF ART so that when you’re reading government documentation you have a legal understanding of the nuance of government documents and potential contractual traps or legal manipulation resulting from them.

1 **4.1.32.1 The two separate geographical jurisdictions create 3 geographically based interpretations for the term the**
2 **United States**

3 *"The term 'United States' may be used in any one of several senses. It may be merely the*
4 *name of a sovereign occupying the position analogous to that of other sovereigns in the*
5 *family of nations. It may designate the territory over which the sovereignty of the United*
6 *States extends, or it may be the collective name of the states which are united by and under*
7 *the Constitution."*

8 [*\[Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)\]*](#)

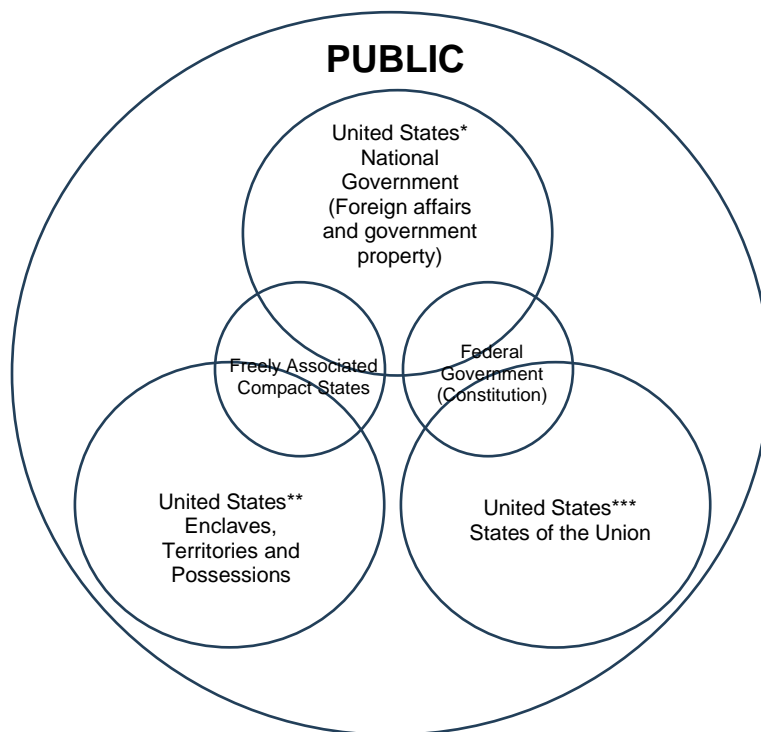
9 Based on the above Supreme Court Decision there are three separate contexts of the word United States. This is where we
10 apply the convention of *, **, and *** consistently used throughout not only this document, but all the materials found on
11 our website.

- 12 1. United States*: "It may be merely the name of a sovereign occupying the position analogous to that of other
13 sovereigns in the family of nations".
14 2. United States**: "It may designate the territory over which the sovereignty of the United States extends".
15 3. United States***: "or it may be the collective name of the states which are united by and under the Constitution".

16 Those definitions are lengthy, complicated, and annoying to quote. For simplicity we reference the geographical contexts as
17 the following

- 18 1. United States* - The Nation
19 2. United States** - Enclaves, Territories, and Possessions
20 3. United States*** - States of the Union // the 50 states

21 If it's not clear there's a mathematical relationship between the three above GEOGRAPHICAL definitions. The math formula
22 is $1 = 2 + 3$. In other words, the National Government is composed of both the land mass of the DC, Territories and
23 Possessions and the land mass belonging to the 50 States. All three of the above are what we call the "Dr. Jekyll" de jure
24 government:



25
26 **Figure 1: Geographical versions of "United States"**

The United States as described in Hooven sets up distinct geographical boundaries for the United States. Those different geographical boundaries are subject to different groups of people that operate those different United States.

1. United States*- The Nation, is operated by the National Government.
2. United States** - The Enclaves, Territories, and Possessions is operated by the same National Congress over what they call the Enclaves, Territories, and Possessions in a capacity the Supreme Court calls the “Federal Zone”.¹⁴
3. United States*** - The States of the Union are operated by the various State Governments.

4.1.32.2 The first two of four definitions of United States

Via the Bible it’s established that God’s jurisdiction is created by his ownership over a physical geography.

“The heavens are Yours, the earth also is Yours; The world and all its fullness, You have founded them.”
[Psalm 89:11, Bible, NKJV]

Only by absolute ownership can God then become the Lawgiver. He is the LORD because He owns the LAND. Hence, the phrase “Landlord”. The “laws” in this scenario are merely a CIVIL STATUTORY regulation of the use of His property, not unlike how a Landlord can make rules for his or her tenants. In fact, in the following video, Satan himself recognizes God as “an absentee Land Lord”.

Devil’s Advocate: Lawyers, SEDM
<http://sedm.org/what-we-are-up-against/>

Congress has jurisdiction over the territories and possessions. The Constitution in Article 4, Section 3, Clause 2 imputes to Congress the authority to “make needful rules” respecting its land and physical property:

United States Constitution

Article 4, Section 3

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

All CIVIL STATUTES, including all franchises, are a legitimate exercise of the above power. That power can, in fact, have no other legitimate source. Mere force, fraud, or deception cannot be the origin of that authority. Might does NOT make right as they say.

The Constitution is a trust indenture. It creates a corporation called the “United States*****”. The “Corpus” of this trust is the community property owned by the United States**** corporation. Those serving as public officers are then trustees under that trust serving within that corporation. Trusts can be written down and intentionally created. They can also be generated as legal fictions as part of contracts or court matters. Article I, Section 8 of the U.S. Constitution enumerates, describes, and limits the exercise of the power of the “United States*****” to 17 specific subject matters:

United States Constitution
Article I: Legislative Department
Section 8: Powers of Congress
Clause 1. Power to Tax and Spend

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

¹⁴ See: United States v. Lopez, 514 U.S. 549 (1995), Justice Kennedy concurring opinion.

[...]

[United States Constitution, SOURCE: <https://law.justia.com/constitution/us/article-1/>]

The National Government derives its powers from the delegated powers of the union States. Each state separately delegated powers to the Nation. Additionally, the first continental congress, which was a group of states working together, collectively but not individually, had the power to levy taxes, wage war, etc. When the nation was brought together the right of the collective to wage war, levy taxes, etc. moved from the continental congress to the new National government. Further, the constitution splits those delegated powers into different branches- legislature, executive branch, and the judicial branch. Each branch has separate delegated powers to enable the 50 states to act as one larger nation, especially in regards to foreign nations and duties, customs, and imposts, but without putting too much power in any single branch. Additionally, the Federal jurisdiction also controls interstate arrangements between two or more separate states, particularly through the judicial branch, but the Federal jurisdiction does not extend within the intrastate policy of any single union state.

The second jurisdiction of the United States** consists of DC and the territories and possessions. DC is a physical, geographical PLACE that's 10 square miles. Washington, DC is a federal enclave that was originally carved out of Maryland and Virginia. The Virginia side was taken back by the state, leaving only the Maryland side. The constitution enables the **exact same Congress as the National Government** to serve in the role of the municipal government of Washington DC as well as the possessions, territories, and what the State Department calls the "Freely Associated Compact States." These "States" (another deceptive Word of Art) aren't union States and as such **the Federal Constitution does not apply to them**. This land area and its government is collectively called the Federal Zone by the Supreme Court. This is a big problem, a giant oversight in the Federal Constitution, and a major contributing source of the criminal heist against Americans by the government.

To be clear, the Constitution requires Congress to operate in **two** roles simultaneously. They operate a Constitutional National Government of delegated powers derived from the Several States and the same legislature operates the Federal Zone Government, absent Constitutional restrictions, which is essentially a municipal function regarding DC, possessions, territories, and "Freely Associated Compact States."

"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?"

[[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 \(1821\)](#)]

Congress in a Federal capacity is limited to a Constitutional Republic as outlined in the Constitution.

*United States Constitution
Article 4: States Relations
Section 4. Obligations of United States to States*

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

[SOURCE: <https://law.justia.com/constitution/us/article-4/>]

But that Constitution **does not** require the Federal Zone Government (United States**) to operate in the same Constitutional capacity.

"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in

1 the original organization of the territories of Louisiana, Florida, the Northwest Territory,
2 and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more
3 recently in the case of Alaska, to establish a form of government bearing a much greater
4 analogy to a British Crown colony than a republican state of America, and to vest the
5 legislative power either in a governor and council, or a governor and judges, to be
6 appointed by the President. It was not until they had attained a certain population that
7 power was given them to organize a legislature by vote of the people. In all these cases, as
8 well as in territories subsequently organized west of the Mississippi, Congress thought it
9 necessary either to extend to Constitution and laws of the United States over them, or to
10 declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail,
11 and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of
12 rights."

13 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

14 The territories and possessions do not operate as a constitutional republic and instead it operates as a socialist democracy.
15 The lack of constitutional constraints in the Federal Zone creates one of the central pillars on which the great heist is
16 orchestrated. That heist is only possible because when there are no constitutional limitations on politicians, the result is
17 COMPLETE ANARCHY and lawlessness because there is no mechanism to constrain what politicians can do. That state of
18 anarchy is exhaustively proven in the following document:

[Your Irresponsible, Lawless, and Anarchist Beast Government](#), Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>

19 **4.1.32.3 A fourth United States**** Definition - Contract has no geography**

20 The fourth United States**** is a federal corporation.

21 *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*
22 [PART VI - PARTICULAR PROCEEDINGS](#)
23 [CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE](#)
24 [SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS](#)
25 [Sec. 3002. Definitions](#)

26 (15) **"United States" means -**

27 (A) **a Federal corporation;**

28 (B) an agency, department, commission, board, or other entity of the United States; or

29 (C) an instrumentality of the United States.

31 *"Corporations are also of all grades, and made for varied objects; **all governments are***
32 ***corporations, created by usage and common consent, or grants and charters which***
33 ***create a body politic for prescribed purposes; but whether they are private, local or***
34 ***general, in their objects, for the enjoyment of property, or the exercise of power, they are***
35 ***all governed by the same rules of law, as to the construction and the obligation of the***
36 ***instrument by which the incorporation is made. One universal rule of law protects***
37 ***persons and property.** It is a fundamental principle of the common law of England, that*
38 *the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal,*
39 *incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is*
40 *incorporated into our institutions. The persons of the members of corporations are on the*
41 *same footing of protection as other persons, and their corporate property secured by the*
42 *same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man*
43 *shall be disseised,' without due process of law, is a principle taken from magna charta,*
44 *infused into all our state constitutions, and is made inviolable by the federal government,*
45 *by the amendments to the constitution."*

46 [Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, [36 U.S. 420](#) (1837)]

47 In the fourth capacity the United States**** corporation competes in the private marketplace for goods, commerce, and
48 contracts to carry into operation the constitutional functions that it has been delegated. The corporation functions as a

sovereign entity that cannot be sued in its own courts without its consent. This context of capacity as a “The Federal Zone” of the United States** is described below as part of the Clearfield Doctrine:

*See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) (“**The United States does business on business terms**”) (quoting *United States v. National Exchange Bank of Baltimore*, 270 U.S. 527, 534 (1926)); *Perry v. United States*, *supra* at 352 (1935) (“**When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent**”) (citation omitted); *United States v. Bostwick*, 94 U.S. 53, 66 (1877) (“**The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf**”); *Cooke v. United States*, 91 U.S. 389, 398 (1875) (**explaining that when the United States “comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there**”).*

*See Jones, 1 Cl.Ct. at 85 (“**Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant**”); *O’Neill v. United States*, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, “[w]ere [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action”). The dissent ignores these statements (including the statement from *Jones*, from which case *Horowitz* drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.*
[United States v. Winstar Corp., 518 U.S. 839 (1996)]

The above case does NOT, however, mention the scenario where the Federal Zone Government of the United States** is acting COMPLETELY outside of the constitution as a landlord over its own property under Article 4, Section 3, Clause 2. In that capacity, it implicitly surrenders its sovereign immunity and must operate entirely under equity (contract law) as an equal of every other private enterprise and entities that it is competing with in the commercial marketplace. When that corporation is acting OUTSIDE the constitution as the Federal Zone (over the United States**), it is acting on an equal footing with every OTHER federal corporation under what is called the Clearfield Doctrine: The Government is not acting in a sovereign governmental capacity but in the corporate capacity as a mere private corporation like any other corporation engaged in commerce and contract law.

What you may not know is that the National government collectively functions as a corporation. As a corporation it has the right to contract like any other corporation. When it contracts it is no longer treated as a special class of corporation called a government, and instead of special treatment the United States**** is treated like every other corporation doing business. It’s important to note that the law of contract has no geography.

“Debt and contract [franchise agreement, in this case] are of no particular place.”
[Bouvier’s Maxims of Law, 1856;
SOURCE:
<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

So, the fourth description of the United States**** is anti-geographic or virtual. That is, the legal contracts formed with the United States**** have no geographic boundaries.

So in total there are four versions of the United States and they all have their basis in a GEOGRAPHICAL context.

1. United States* National Government - The totality of the nation
2. United States** Federal Zone consisting of enclaves, Territories and Possessions, meaning the District of Criminals, possessions and territories.
3. United States*** States of the Union (the combined geography of all 50 states).
4. United States**** As a legal entity contracting with individuals (individuals is another word of art, but we’ll get there later), corporations, trusts, and government officers with no geographical limitations.

The corrupt “Mr. Hyde” version of the BEAST government is United States****. The worst behavior of the government is experienced when the United States**** ABUSES contract law to do the OPPOSITE of what governments are created to do, which is protect PRIVATE property and PRIVATE rights ONLY. In this capacity, the corporation United States****:

1. Colors private property into public property via franchise agreements and then targets the newly colored public property for confiscation, exploitation, and theft.
2. Operates in a “for profit” capacity instead of an eleemosynary non-profit capacity. Once the government has a profit or revenue motive, it DEFEATS the oaths of office that its officers are appointed under:

“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.”¹⁵ Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.¹⁶ That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.¹⁷ and owes a fiduciary duty to the public.¹⁸ It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.¹⁹ Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.²⁰“

[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

3. Has the sole purpose of raising revenue (love of money) and expanding the authority and sovereignty and importance of politicians at the expense of the equality and dignity of the people they work for. This motive originates mainly from the MASSIVE deficit spending it engages in that COMPELS politicians to continually hunt down NEW revenue sources.
4. Grants itself a monopoly on the service offered and destroys all its competitors. Thus, it is able to stifle all competition.
5. Exempts itself from the limitations of the Sherman Antitrust Act, and thus cannot be sued for monopolistic or anti-competitive behavior.
6. Functions in an ENTIRELY PRIVATE capacity without sovereign immunity. Thus, the consent of the DE FACTO United States*** is not required to be sued.
7. Has no more authority than a single human being. The government is a government of delegated authority alone, and can have no more authority than the PRIVATE humans from whom that authority was delegated.
8. When it competes in the private commercial marketplace for people, property, services, and revenue:
 - 8.1. Does so as a “Merchant” under U.C.C. §2-104(1) offering you “civil services” and/or “benefits”.
 - 8.2. Treats you as a “Buyer” under U.C.C. §2-103(1)(a).
 - 8.3. Is the only one who can define the terms of the offer and the obligations associated with your acceptance because they are the CREATOR and OWNER of the thing they are offering you. Civil legislation in the form of a franchise or privilege was the thing used to CREATE the property they are offering you. That act of creation occurs in the DEFINITION section of the civil statutes where “civil statutes” and “legal statutes” are defined and then association with PUBLIC RIGHTS that are PUBLIC property you want to procure.

¹⁵ State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

¹⁶ Georgia Dep’t of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

¹⁷ Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

¹⁸ United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed.2d. 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed.2d. 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

¹⁹ Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

²⁰ Indiana State Ethics Comm’n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

8.4. You ACCEPT their offer by applying on a government “benefit” or franchise form asking either for government physical property such as a Social Security Card on an SS-5 Form, or for a CIVIL STATUTORY PUBLIC IDENTITY they create and own, such as “driver” (driver license), “spouse” (marriage license), “taxpayer” (tax code), etc.

9. Enforces the PRIVILEGES associated with the civil statuses they created and granted as public property within franchise courts in the EXECUTIVE Branch, instead of constitutional courts in the JUDICIAL branch. These fake or de facto “courts” operate under Article I or Article IV of the Constitution rather than Article III.

10. Can lawfully be sued without its consent in EQUITY under the constitution and the common law.

11. Because it has a monopoly, can attach ANY condition or obligation it wants to those seeking benefits with its franchises. This is called “weaponization of government”, which we describe as follows:

SEDM Disclaimer, Section 4.30: Weaponization of Government
<https://sedm.org/disclaimer.htm>

12. Is what we call a “de facto government” or “anti-government” as described in:

De Facto Government Scam, Form #05.043
<https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>

The opening page of our website warns about the hazards of contracting, associating with, or consenting to anything offered by the United States**** Beast government as follows:

"People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. Click Here (https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm) for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph."
[SEDM Opening Page; <http://sedm.org>]

4.1.32.4 Restating for context and one more nickname-

1. **US* National Government** - Congress interacting with foreign nations, declaring wars, setting customs amounts, establishing Federal law. Also, this includes* (another word of art) judges managing interstate matters in Federal District Courts. The US Federal Government has no say in the internal (intrastate) affairs of each separate union State so long as the union State breaks no Federal laws.

2. **US** Federal Zone: Enclaves, Territories and Possessions, also called “The Freely Associated Compact States”** - Congress operating municipal government without the restrictions of a constitutional republic over the landmass of DC, territories, possessions aka the “Freely Associated States”.

3. **US*** States of the Union**- The total geography covered by the 50 union States each having complete control of intrastate matters
4. **US**** The Corporate Beast** - Deals with contracts (especially franchises described below), and does not have a specific geography since contract law is not bound by geography.

Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

The first three items in the list are the friendly “Dr. Jekyll” government of the “United States”. The last one, the “United States****”, is the corrupt “Mr. Hyde” corporate beast version of the United States that the Bible book of Revelation refers to as “The Beast”. We also call this the “de facto” government in the following document on our site:

De Facto Government Scam, Form #05.043
<https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>

4.1.32.5 **Drilling down into each of the four further**

Using statutes, and supreme court cases, we can further break down each of the four “United States” into their component parts, listing the authorities that are the basis for each.

Table 1: Breakdown of each of the four "United States"

#	Name	Political	Authority	S.C. Case	Who	Geographical
1	United States*	National Government	Law of Nations	Hooven & Allison Co. v. Evatt, 324 U.S. 651 (1945) U.S. v. Curtiss Wright Export, 299 U.S. 304 (1936)	Congress	Interstate but not intrastate, and with regards to Foreign Affairs
1.1	United States*USA	United States of America	Articles of Confederation	U.S. v. Curtiss Wright Export, 299 U.S. 304 (1936)	Executive	Foreign Affairs
1.2	United States*F	Federal Government	Constitution of 1789	U.S. v. Curtiss Wright Export, 299 U.S. 304 (1936)	Congress	Interstate but not intrastate
2	United States**	Enclaves, Territories, and Possessions				
2.1	United States**DCE	District and Federal Enclaves	Const. 1:8:17 (Enclave Clause)	Hooven & Allison Co. v. Evatt, 324 U.S. 651 (1945) U.S. v. Curtiss Wright Export, 299 U.S. 304 (1936)	Congress	DC and Federal Enclaves within 50 States
2.2	United States**TP	Territories and Possessions Local Government	Const. 4:3:2 Title 4 U.S.C. (Buck Act) Title 48 U.S.C.		Local	Territories and Possessions
3	United States***	Constitutional and Corporate union States				
3.1	United States***S	State Government	State Constitution Fed. Constit. Article IV	Hooven & Allison Co. v. Evatt, 324 U.S. 651 (1945) U.S. v. Curtiss Wright Export, 299 U.S. 304 (1936)	State	Within the Boundaries of the 50 States
3.2	United States***CS	STATE OF STATE // Federal States // Corporate // Beast	Federalist Papers		State	Federal Enclave within union States
4	United States****	Corporate/Contract, "Beast"	28 U.S.C. §3002(15)(A)	Clearfield Trust Co. v. United States, 318 U.S. 363 (1943) Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)	Corporate	Non-geographical, Contract has no Place

#	Name	Political	Authority	S.C. Case	Who	Geographical
				U.S. v. Babcock, 240 U.S. 328, 39 S.Ct. 464 (1919) U.S. v Winstar, Corp., 518 U.S. 839 (1996)		

NOTES:

- Items in red, being 3.2 and 4 are examples of Corporate Beast behavior in both the national and the state governments.
- For details on 3.2 and 4 acting in a private, corporate Beast capacity, see:

Corporatization and Privatization of the Government, Form #05.024
<https://sedm.org/Forms/05-MemLaw/CorpGovt.pdf>

The National Government has two distinct functions. One function is when it is engaged in foreign affairs. In this capacity the National Government is referenced as the United States of America.

Articles of Confederation

Preamble

*To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of **the United States of America in Congress assembled** did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventy Seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia in the Words following, viz. "Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.*

This is also confirmed by the Supre Court in US v. Curtiss Wright Export

*As a result of the separation from Great Britain by the colonies acting as a unit, the powers of external sovereignty passed from the Crown not to the colonies severally, but to the colonies in their collective and corporate capacity as the United States of America. Even before the Declaration, the colonies were a unit in foreign affairs, acting through a common agency — namely the Continental Congress, composed of delegates from the thirteen colonies. That agency exercised the powers of war and peace, raised an army, created a navy, and finally adopted the Declaration of Independence. Rulers come and go; governments end and forms of government change; but sovereignty survives. A political society cannot endure 317*317 without a supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of Great Britain in respect of the colonies ceased, it immediately passed to the Union. See Penhallow v. Doane, 3 Dall. 54, 80-81. That fact was given practical application almost at once. The treaty of peace, made on September 23, 1783, was concluded between his Brittanic Majesty and the "United States of America." 8 Stat. — European Treaties — 80.*

[U.S. v. Curtiss Wright Export, 299 U.S. 304, 317 (1936)]

The national Government has a second function when engaged in interstate affairs of the union States. Here it is called the Federal Government.

"The two classes of powers are different, both in respect of their origin and their nature. The broad statement that the federal government can exercise no powers except those

specifically enumerated in the Constitution, and such implied powers as are necessary and proper to carry into effect the enumerated powers, is categorically true only in respect of our internal affairs. In that field, the primary purpose of the Constitution was to carve from the general mass of legislative powers then possessed by the states such portions as it was thought desirable to vest in the federal government, leaving those not included in the enumeration still in the states. *Carter v. Carter Coal Co.*, 298 U.S. 238, 294. That this doctrine applies only to powers which the states had, is self evident. And since the states severally never possessed international powers, such powers could not have been carved from the mass of state powers but obviously were transmitted to the United States from some other source. During the colonial period, those powers were possessed exclusively by and were entirely under the control of the Crown. By the Declaration of Independence, "the Representatives of the United States of America" declared the United [not the several] Colonies to be free and independent states, and as such to have "full Power to levy War, conclude Peace, contract Alliances, establish Commerce and to do all other Acts and Things which Independent States may of right do."

[*U.S. v. Curtiss Wright Export*, 299 U.S. 304, 316 (1936)]

The United States also has distinctions in the specific context of its municipal function for the Enclaves, Territories, and Possessions.

The statute now before us forecloses the States from experimenting and exercising their own judgment in an area to which States lay claim by right of history and expertise, and it does so by regulating an activity beyond the realm of commerce in the ordinary and usual sense of that term. The tendency of this statute to displace state regulation in areas of traditional state concern is evident from its territorial operation. There are over 100,000 elementary and secondary schools in the United States. See U. S. Dept. of Education, National Center for Education Statistics, Digest of Education Statistics 73, 104 (NCES 94-115, 1994) (Tables 63, 94). Each of these now has an invisible federal zone extending 1,000 feet beyond the (often irregular) boundaries of the school property. In some communities no doubt it would be difficult to navigate without infringing on those zones. Yet throughout these areas, school officials would find their own programs for the prohibition of guns in danger of displacement by the federal authority unless the State chooses to enact a parallel rule.

[*United States v. Lopez*, 514 U.S. 549, 583 (1995)]

The first function it serves is the District of Columbia and the Federal Enclaves within the states. The power comes from Constitution Article 1, Section 8, Clause 17:

U.S. Constitution
Clause 17. District of Columbia; Federal Property

*Congress shall have power * * * To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.*

The second function of the municipality over the Territories and Possessions comes from the Constitution in 4:3:2 and is codified in 4 USC (sometimes called the Buck Act) and 48 USC.

[United States Constitution](#)
[Article 4, Section 3, Clause 2](#)

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in

1 *this Constitution shall be so construed as to Prejudice any Claims of the United States, or*
2 *of any particular State.*

3 This is confirmed by Title 4 USC:

4 *4 U.S. Code § 110 - Same; definitions*

5 *As used in sections 105–109 of this title—*

6 *(a) The term “person” shall have the meaning assigned to it in section 3797 of title 26.*

7 *(b) The term “sales or use tax” means any tax levied on, with respect to, or measured by,*
8 *sales, receipts from sales, purchases, storage, or use of tangible personal property, except*
9 *a tax with respect to which the provisions of section 104 of this title are applicable.*

10 *(c) The term “income tax” means any tax levied on, with respect to, or measured by, net*
11 *income, gross income, or gross receipts.*

12 *(d) The term “State” includes any Territory or possession of the United States.*

13 *(e) The term “Federal area” means any lands or premises held or acquired by or for the*
14 *use of the United States or any department, establishment, or agency, of the*
15 *United States; and any Federal area, or any part thereof, which is located within the*
16 *exterior boundaries of any State, shall be deemed to be a Federal area located within*
17 *such State.*

18 *(July 30, 1947, ch. 389, 61 Stat. 645.)*

19 This is also confirmed by Title 48 USC:

U.S. Code: Title 48

U.S. Code

[prev](#) | [next](#)

[CHAPTER 1—BUREAU OF INSULAR AFFAIRS \(§§ 1 – 4\)](#)

[CHAPTER 2—ALASKA \(§§ – 488\)](#)

[CHAPTER 3—HAWAII \(§§ – 724\)](#)

[CHAPTER 4—PUERTO RICO \(§§ 731 – 916\)](#)

[CHAPTER 5—PHILIPPINE ISLANDS \(§§ 1001 – 1276\)](#)

[CHAPTER 6—CANAL ZONE \(§§ 1301 – 1384\)](#)

[CHAPTER 7—VIRGIN ISLANDS \(§§ 1391 – 1409m\)](#)

[CHAPTER 8—GUANO ISLANDS \(§§ 1411 – 1419\)](#)

[CHAPTER 8A—GUAM \(§§ 1421 – 1428e\)](#)

[CHAPTER 9—SAMOA, TUTUILA, MANUA, SWAINS ISLAND, AND TRUST TERRITORY OF THE PACIFIC ISLANDS \(§ 1431\)](#)

[CHAPTER 10—TERRITORIAL PROVISIONS OF A GENERAL NATURE \(§§ 1451 – 1494c\)](#)

[CHAPTER 11—ALIEN OWNERS OF LAND \(§§ 1501 – 1509\)](#)

[CHAPTER 12—VIRGIN ISLANDS \[1954\] \(§§ – 1645\)](#)

[CHAPTER 13—EASTERN SAMOA \(§§ 1661 – 1670\)](#)

[CHAPTER 14—TRUST TERRITORY OF THE PACIFIC ISLANDS \(§§ 1681 – 1695\)](#)

[CHAPTER 15—CONVEYANCE OF SUBMERGED LANDS TO TERRITORIES \(§§ 1701 – 1708\)](#)

[CHAPTER 16—DELEGATES TO CONGRESS \(§§ 1711 – 1757\)](#)

[CHAPTER 17—NORTHERN MARIANA ISLANDS \(§§ 1801 – 1846\)](#)

[CHAPTER 18—MICRONESIA, MARSHALL ISLANDS, AND PALAU \(§§ 1901 – 1973\)](#)

[CHAPTER 19—PACIFIC POLICY REPORTS \(§§ 2001 – 2004\)](#)

[CHAPTER 20—PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY \(§§ 2101 – 2241\)](#)

1

2 The United States also has distinctions in the specific context of the union States.

3

CALIFORNIA CONSTITUTION - CONS

4

ARTICLE III STATE OF CALIFORNIA [SEC. 1 - SEC. 9] (Article 3 added Nov. 7, 1972, by Prop. 6. Res.Ch. 120, 1972.)

5

6

SEC. 1. The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land.

7

8

(Sec. 1 added Nov. 7, 1972, by Prop. 6. Res.Ch. 120, 1972.)

9

SEC. 2. The boundaries of the State are those stated in the Constitution of 1849 as modified pursuant to statute. Sacramento is the capital of California.

10

11

(Sec. 2 added Nov. 7, 1972, by Prop. 6. Res.Ch. 120, 1972.)

12

[SOURCE:

13

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CONS&division=&title=&part=&chapter=&article=III

14

15

16

United States Constitution

Article 4, Section 3. Admission of New States; Property of United States Clause 1.
Admission of New States to Union

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The second context is as a STATE OF STATE. The geography of the STATE OF STATE are the sum of federal enclaves within individual union States. The STATE OF STATE is operated by the same State Congress of the union State. In this capacity the STATE OF STATE acts in a corporate context.

4.1.33 “Citizen*” and “Citizen**+D” and “Citizenship”

In the context of this entire website:

1. The term Citizen* means a citizen who has NATIONALITY and is therefore a "NATIONAL" under [8 U.S.C. §1101](#)(a)(21). This is equivalent to all uses of the phrase "CONSTITUTIONAL citizen" on this website in the case of American national born or naturalized within the exclusive jurisdiction of a state of the Union.
2. The term Citizen**+D means a citizen who has NATIONALITY and who ALSO has a domicile in a specific geographical place within the NATION United States*. This person is a CIVIL statutory "citizen". On this site, we refer to this "citizen" as a STATUTORY citizen or a CIVIL citizen or a DOMICILED citizen.

Within civil statutory law, the term "citizen" involves the complex interplay between NATIONALITY and DOMICILE, as pointed out by the U.S. Supreme Court below:

*In [Udny v. Udny, \(1869\) L.R. 1 H.L. Sc. 441](#), the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: "The question of naturalization and of allegiance is distinct from that of domicil." p. 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: "The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions: one, by virtue of which he becomes the subject of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another, by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status." And then, while maintaining that the civil status is universally governed by the single principle of domicil, domicilium, the criterion established by international law for the purpose of determining civil status, and the basis on which "the personal rights of the party, that is to say, the law which determines his majority or minority, his marriage, succession, testacy or intestacy, [657*657](#) must depend;" he yet distinctly recognized that a man's political status, his country, patria, and his "nationality, that is, natural allegiance," "may depend on different laws in different countries." pp. 457, 460. He evidently used the word "citizen," not as equivalent to "subject," but rather to "inhabitant;" and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*

[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898);

SOURCE: https://scholar.google.com/scholar_case?case=3381955771263111765/]

"Political status" above is synonymous with NATIONALITY. Nationality (political status) = citizenship + allegiance . Citizenship relates to the body politic per [8 C.F.R. §337.1](#).

4.1.33.1 Nationality v. Domicile

1 Below is a summary of the interplay between "nationality" and "domicile":

2 1. Nationality:

- 3 1.1. Is a political status.
4 1.2. Is NONGEOGRAPHICAL. You can have ALLEGIANCE ANYWHERE you physically are.
5 1.3. Is not necessarily consensual or discretionary. For instance, acquiring nationality by birth in a specific place was
6 not a matter of choice whereas acquiring it by naturalization is.
7 1.4. Is defined by the Constitution, which is a political document.
8 1.5. Is synonymous with being a "national" within statutory law.
9 1.6. Is associated with a specific COUNTRY.
10 1.7. Is called a "political citizen" or a "citizen of the United States in a political sense" by the courts to distinguish it
11 from a STATUTORY citizen. See *Powe v. United States*, 109 F.2d. 147 (1940).

12 2. Domicile:

- 13 2.1. Is a civil status.
14 2.2. Is ALWAYS GEOGRAPHICAL. You can't have a domicile that is NOT tied to a specific physical geographical
15 place.
16 2.3. Is ALWAYS tied to definitions relating to the GEOGRAPHICAL context for the word used. For instance "U.S.
17 person" in [26 U.S.C. §7701\(a\)\(30\)](#).
18 2.4. Always requires your consent and therefore is discretionary. See:
19

Why Domicile and Becoming a "Taxpayer" Require Your Consent , Form #05.002 http://sedm.org/Forms/FormIndex.htm

20 2.5. Is not even addressed in the constitution.
21 2.6. Is defined by civil statutory law RATHER than the constitution.
22 2.7. Is in NO WAY connected with one's nationality.
23 2.8. Is usually connected with the word "person", "citizen", "resident", or "inhabitant" in statutory law.
24 2.9. Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
25 2.10. Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.

26 Nationality and domicile, TOGETHER determine the political/CONSTITUTIONAL AND civil/STATUTORY status of a
27 human being respectively. These important distinctions are recognized in Black's Law Dictionary:

28 *"nationality – That quality or character which arises from the fact of a person's belonging*
29 *to a nation or state. Nationality determines the political status of the individual, especially*
30 *with reference to allegiance; while domicile determines his civil [statutory] status.*
31 *Nationality arises either by birth or by naturalization. "*
[Black's Law Dictionary (6th ed. 1990), p. 1025]

32 The U.S. Supreme Court also confirmed the above when they held the following. Note the key phrase "political jurisdiction",
33 which is NOT the same as legislative/statutory jurisdiction. One can have a political status of "citizen" under the constitution
34 while NOT being a "citizen" under federal statutory law because not domiciled on federal territory. To have the status of
35 "citizen" under federal statutory law, one must have a domicile on federal territory:

36 *"This section [of the Fourteenth Amendment] contemplates two sources of citizenship, and*
37 *two sources only, -birth and naturalization. The persons declared to be citizens are 'all*
38 *persons born or naturalized in the United States, and **subject to the jurisdiction thereof.**'*
39 *The evident meaning of these last words is, not merely subject in some respect or degree*
40 *to the jurisdiction of the United States, **but completely subject to their [plural, not***
41 ***singular, meaning states of the Union] political jurisdiction, and owing them [the state***
42 ***of the Union] direct and immediate allegiance.** And the words relate to the time of birth*
43 *in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other.*
44 *Persons not thus subject to the jurisdiction of the United States at the time of birth cannot*
45 *become so afterwards, except by being naturalized, either individually, as by proceedings*
46 *under the naturalization acts, or collectively, as by the force of a treaty by which foreign*
47 *territory is acquired."*
48 *[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

1 *“This right to protect persons having a domicile, though not native-born or naturalized*
2 *citizens, rests on the firm foundation of justice, and the **claim to be protected** is earned by*
3 *considerations which the protecting power is not at liberty to disregard. Such domiciled*
4 *citizen pays the same price for his protection as native-born or naturalized citizens pay for*
5 *theirs. **He is under the bonds of allegiance to the country of his residence, and, if he***
6 ***breaks them, incurs the same penalties. He owes the same obedience to the civil laws.***
7 *His property is, in the same way and to the same extent as theirs, liable to contribute to the*
8 *support of the Government. In nearly all respects, his and their condition as to the duties*
9 *and burdens of Government are undistinguishable.”*
10 *[Fong Yue Ting v. United States, [149 U.S. 698](#) (1893)]*

11 Notice in the last quote above that they referred to a foreign national born in another country as a “citizen”. THIS is the
12 REAL “citizen” (a domiciled foreign national) that judges and even tax withholding documents are really talking about, rather
13 than the “national” described in the constitution.

14 According to the U.S. Supreme Court, POLITICAL citizen and therefore NATIONAL is the PRINCIPAL type of citizen
15 used in everyday speech and in the political departments of the government:

16 *In the Constitution the term state most frequently expresses the combined idea just noticed,*
17 *of people, territory, and government. **A state, in the ordinary [PRINCIPAL] sense of the***
18 ***Constitution, is a political community of free citizens, occupying a territory of defined***
19 ***boundaries, and organized under a government sanctioned and limited by a written***
20 ***constitution, and established by the consent of the governed. It is the union of such states,***
21 ***under a common constitution, which forms the distinct and greater political unit, which***
22 ***that Constitution designates as the United States, and makes of the people and states***
23 ***which compose it one people and one country.***

24 *The use of the word in this sense hardly requires further remark. In the clauses which*
25 *impose prohibitions upon the States in respect to the making of treaties, emitting of bills of*
26 *credit, and laying duties of tonnage, and which guarantee to the States representation in*
27 *the House of Representatives and in the Senate, are found some instances of this use in the*
28 *Constitution. Others will occur to every mind.*

29 *But it is also used in its geographical sense, as in the clauses which require that a*
30 *representative in Congress shall be an inhabitant of the State in which he shall be chosen,*
31 *and that the trial of crimes shall be held within the State where committed.*

32 ***And there are instances in which the principal sense of the word seems to be that primary***
33 ***one to which we have adverted, of a people or political community, as distinguished from***
34 ***a government.***

35 *In this latter sense the word seems to be used in the clause which provides that the United*
36 *States shall guarantee to every State in the Union a republican form of government, and*
37 *shall protect each of them against invasion.*

38 *In this clause a plain distinction is made between a State and the government of a State.*
39 *[Texas v. White, 74 U.S. 700 (1869);*
40 *SOURCE:https://scholar.google.com/scholar_case?case=1134912565671891096]*

41 **4.1.33.2 Citizen**+D: Domiciled citizen***

42 However, within civil statutory law and especially in the context of taxation, the term "citizen" is also often used in connection
43 with DOMICILE as well. Thus, it adds the GEOGRAPHICAL context to the POLITICAL context. This is true, for instance,
44 in [26 U.S.C. §7701\(a\)\(30\)](#):

45 [Sec. 7701. – Definitions](#)

46 (a)(30) [United States](#) person

The term "United States person" means –

(A) a citizen or resident of the United States,

(B) a domestic partnership,

(C) a domestic corporation,

(D) any estate (other than a foreign estate, within the meaning of paragraph (31)), and

(E) any trust if –

(i) a court within the United States is able to exercise primary supervision over the administration of the trust, and

(ii) one or more United States persons have the authority to control all substantial decisions of the trust.

In the above context which ADDS domicile, to the principal POLITICAL sense, we refer to this sense as "Citizen**+D". The above "citizen of the United States" is used mainly in its GEOGRAPHICAL and not POLITICAL sense. Although the POLITICAL sense is the principal sense according to the U.S. Supreme Court in Texas v. White, 74 U.S. 700 (1869), this statutory context instead is the GEOGRAPHICAL sense tied to domicile rather than nationality or political status because:

1. 26 C.F.R. §1.1-1(c) relates to POLITICAL status only, because it references birth or naturalization rather than domicile. Thus, the "citizen" referenced is a political member but not a domiciled party.
2. Those born within the exclusive jurisdiction of a constitutional state are political citizens as conferred by the Fourteenth Amendment. As such, they are also "U.S. nationals" per 22 C.F.R. §51.2.
3. Puerto Ricans are citizens of the United States in its political sense (Cf. 26 C.F.R. §1.1-1(c)) but they are not statutory "United States persons". Instead, they are called "nonresidents, not a citizen of the United States" for the purposes of title 26. See 26 U.S.C. §2209.
4. Additionally, a foreign national cannot be a resident of a body politic. They can only be resident within a geographical jurisdiction.
5. Territories and possessions are foreign countries under 26 C.F.R. §301.7701(b)-2.
6. 26 U.S.C. §7701(a)(39) says if any citizen or resident is not in a United States judicial district, they will be treated AS IF they are domiciled in D.C.
7. 26 U.S.C. §7408(d) says if any citizen or resident is not in a United States judicial district, they will be treated AS IF they are domiciled in D.C.
8. 26 U.S.C. §§931-937 place territories and possessions WITHOUT the United States. Clearly they are talking about geographical jurisdiction because:
 - 8.1. They are not part of the federal system.
 - 8.2. They are WITHIN the national body politic.
 - 8.3. Puerto Rico is without the domestic federal jurisdiction...just like the jurisdiction of the 50 states are!
9. 26 U.S.C. §873 recognizes "nationals of the United States" as "nonresident alien individuals". All POLITICAL citizens are "nationals of the United States".
10. 22 C.F.R. §51.2 recognizes all recipients of US passports as "U.S. nationals". If you have a U.S. Passport or have ever gotten one, you are a "U.S. national", meaning that you have NATIONALITY as a Citizen* but not necessarily DOMICILE as a Citizen**+D.
11. "U.S. nationals" have repeatedly been recognized as nonresident aliens on the 1040NR tax return.
12. Income tax is based ENTIRELY upon domicile according to the U.S. Supreme Court, which is geographical and NOT political.

Lawrence v. State Tax Commission, 286 U.S. 276 (1932)

SOURCE: https://scholar.google.com/scholar_case?case=10241277000101996613

13. I am neither domiciled in the statutory geographical "United States" nor representing an entity or office that is so domiciled under Federal Rule of Civil Procedure 17(b).
14. More like the above at:

[Tax Return History: Citizenship](https://famguardian.org/Subjects/Taxes/Citizenship/TaxReturnHistory-Citizenship/TaxReturnHistory-Citizenship.htm), Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Citizenship/TaxReturnHistory-Citizenship/TaxReturnHistory-Citizenship.htm>

Therefore, the conclusion is inevitable that:

1. "United States" as used in 26 C.F.R. §1.1-1(c) is its political sense. This is because the word "citizen" is connected with "born or naturalized" instead of mere DOMICILE or RESIDENCE.
2. "United States" in 26 U.S.C. §7701 is the GEOGRAPHICAL sense. This is confirmed by 26 C.F.R. §301.7701(b)-2(b) and 26 C.F.R. §301.7701-7(c)(3)(ii).
3. The political sense is NON-GEOGRAPHICAL.
4. Domicile is always geographical.

If you go to a bank and the bank wants you to explain why you are a nonresident alien or why you are the "citizen" mentioned in 26 C.F.R. §1.1-1(c) but not THE "citizen" mentioned in 26 U.S.C. §7701(a)(30), you can use the above to prove it.

This proves, for instance, that NOT ALL instances of "citizen of the United States", should be interpreted ONLY in their geographical context or even NATIONAL context as most people erroneously do because of their legal ignorance. If you think about it, the world thinks the geographical sense is the principal and ONLY sense for the term "citizen of the United States", because that is all they have ever known or seen. And when lawyers or judges or legislators use the term "citizen of the United States", they don't tell you what the principal sense is they PRESUME, or whether the term also includes domicile. They just say, "...when used in a geographical sense..." then everyone acts presumptuously and waives their rights--rights protected by the foreign status most American nationals have by virtue of the separation of powers between the states and the national government as described by:

Separation of Powers Doctrine, Form #05.023
<https://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>

4.1.33.3 Why this information is important

An understanding of these concepts and distinctions is therefore CRUCIAL to avoid being:

1. Labeled as FRIVOLOUS by a judge or the IRS.
2. Sanctioned in a court of law by a judge.
3. Penalized administratively as frivolous by the IRS.
4. Labeled a "sovereign citizen".
5. Unknowingly DESTROYING the separation of legislative powers that is the MAIN protection for our constitutional rights!

For instance, it is considered a frivolous position by the IRS for someone born within the exclusive jurisdiction of a constitutional state to claim that they are not "THE citizen" mentioned in 26 C.F.R. §1.1-1(c).

The Truth About Frivolous Tax Arguments, IRS, Sections C.1 and C.2
<https://www.irs.gov/privacy-disclosure/the-truth-about-frivolous-arguments-section-i-a-to-c#contentionc1>

Notice that in C1, they put "citizen" in quotes, which is what is defined at 26 C.F.R. §1.1-1(c). Denying as a state national or American National that you don't have that status is frivolous. Demonstrating oneself to NOT be in the 26 U.S.C. §7701(a)(30)(A) STATUTORY "U.S. person" subclass is both simple and easy and involves nothing remotely close to any frivolous position. In C2, they forthrightly say that asserting DC, territories, and enclaves is what is meant by the "United States" is also frivolous. Embracing the jurisdictions of the 50 States as together forming an integral, domestic jurisdiction can in no way ever be construed as frivolous. Likewise, asserting that the civil jurisdiction of each State is distinct and therefore foreign from the civil jurisdiction of the "United States" cannot in any possible distortion be regarded as frivolous.

Thus, you can see that there is MUCH government equivocation surrounding the use of the word "citizen". It seems OBVIOUS to us that they INTEND for EVERYONE to be uninformed about how to AVOID this equivocation because it protects their MAIN source of CIVIL jurisdiction and unconstitutionally ENLARGES what is actually the VERY limited civil legislative power of the national government everywhere in the country. For instance, if the ONLY type of jurisdiction

most federal judges have within the exclusive jurisdiction of a state is POLITICAL jurisdiction that confers NO CIVIL ENFORCEMENT power whatsoever within the exclusive jurisdiction of a constitutional state, then they have to use equivocation to DECEIVE you into believing that POLITICAL jurisdiction and CIVIL jurisdiction are synonymous in order to unlawfully enlarge their jurisdiction, importance, and revenue. See:

Political Jurisdiction, Form #05.004

<https://sedm.org/Forms/05-MemLaw/PoliticalJurisdiction.pdf>

We must REMEMBER, however, that judges may not lawfully entertain "POLITICAL QUESTIONS". Therefore, any dispute before them which involves POLITICAL jurisdiction must be DISMISSED and can never be the origin of CIVIL ENFORCEMENT AUTHORITY!

Equivocation, in turn, is a logical fallacy that is ENGINEERED to deceive and enslave you. Equivocation of this kind ALWAYS involves:

1. Abuse of a word that has multiple contexts.
2. A failure to define all the possible contexts used in the statute.
3. A REFUSAL to disclose which specific context is implied in every specific use.
4. Doing all the above in order to fool you into PRESUMING that ALL contexts are equivalent.
5. Deceiving you into believing that all contexts are equivalent. Thus, they are deceiving you into believing that the government has far more jurisdiction and power than it actually HAS by law.

This underscores the ABSOLUTE importance of understanding the context in each use of the word "citizen" in any and every statutory use. In our experience, you can quickly end all dispute, deception, penalties, and frivolous accusations over the relating to your use of the term "citizen" by simply labelling and describing the context described here in every use of the word when communicating with the government on a government form. Similar arguments apply to the use of "United States" mentioned in the previous section.

4.1.33.4 Citizenship

A closely related word is "citizenship":

***citizenship.** The status of being a citizen. There are four ways to acquire citizenship: by birth in the United States, by Birth in U.S. territories, by birth outside the U.S. to U.S. parents, and by naturalization. See Corporate citizenship; Diversity of citizenship; Dual citizenship; Federal citizenship; Naturalization; Jus sanguinis; Jus soli. [Black's Law Dictionary, Sixth Edition, p. 244]*

"Citizenship" is component of "political status" along with allegiance. It is synonymous with MEMBERSHIP in a political community. It is NOT, however, in any way related to DOMICILE or "civil status". Citizenship is conferred AFTER taking an oath of naturalization consistent with [8 C.F.R. §337.1](#). When citizenship has been conferred after the oath of allegiance is taken, you end up with NATIONALITY.

Upon close inspection of Wong Kim Ark above, you will see that political citizenship is the common link between political status and civil status.

1. Political status=citizen* + allegiance. See [8 C.F.R. §337.1](#).
2. Civil status=citizen* + domicile=citizen*+D.

Political status asks: Are you a member of this home, and are you faithful to the family?

Civil status asks: Are you a member of the home, and in what room do you live?

Two very different issues, which when considered TOGETHER, paint the complete picture.

4.1.33.5 Political Status v. Civil Status

Some other very important points need to be made about the distinctions between POLITICAL STATUS and CIVIL STATUS:

1. POLITICAL STATUS

1.1. Citizen*=political status=nationality.

1.2. There is no infirmity whatsoever involved with having a POLITICAL STATUS or NATIONALITY since it is not and cannot be the origin of any enforceable obligation in any court that we have ever found.

1.3. POLITICAL STATUS is NEVER called "LEGAL STATUS".

2. CIVIL STATUS

2.1. Citizen**+D is the DEFAULT status in all civil statutory law.

2.2. All legally enforceable CIVIL STATUTORY obligations, including TAX obligations, attach to one's CIVIL STATUS and NEVER to POLITICAL STATUS.

2.3. CIVIL STATUS is also called LEGAL STATUS.

2.4. DOMICILE is a PREREQUISITE to having a CIVIL STATUS.

2.5. DOMICILE and NOT POLITICAL STATUS is the origin of ALL civil statutory enforcement authority within any court. See [Federal Rule of Civil Procedure 17\(b\)](#).

2.6. ALL of your troubles with government CIVIL enforcement ALWAYS start with voluntarily selecting a DOMICILE, and thus becoming obligated to obey obligations within the CIVIL STATUTORY law.

3. You will look like a complete, frivolous, insane idiot if you argue about NOT having a POLITICAL STATUS, since it can carry no court enforceable CIVIL legal obligations for a NATIONAL of the Country United States*. POLITICAL STATUS comes with MORAL obligations, but never CIVIL LEGAL obligations for NATIONALS having NATIONALITY.

4. If you are an ALIEN (foreign national), you have a FOREIGN political status and are in a PRIVILEGED state. Thus:

4.1. You are subject to government CIVIL STATUTORY control and regulation anywhere in the COUNTRY "United States*". This is confirmed by the Presence Test in [26 U.S.C. §7701\(b\)](#), which is applicable ONLY to "alien individuals".

4.2. ONLY in the case of aliens in a foreign country do DOMICILE and NATIONALITY (foreign nationality) coincide. For nationals, they NEVER coincide or go together.

4.1.33.6 Using this information to be LEFT ALONE and maximize your liberty

If you have NATONALITY in the country "United States*" and simply want to be LEFT alone, which is what [legal "justice"](#) is defined as, and never targeted with CIVIL enforcement, the simple way out is to:

1. NEVER select a domicile and thus to AVOID all CIVIL STATUSES.

2. Write "NO domicile or residence" on every government form that asks for your "permanent address" or domicile.

3. By doing the above, thus becoming a "nonresident", "transient foreigner", and "idiot". See:

3.1. Are You an "Idiot"? SEDM

<https://sedm.org/are-you-an-idiot-we-are/>

3.2. My Preferred Pronouns, SEDM

<https://sedm.org/my-preferred-pronouns/>

A person who does all the above has MAXIMUM [civil liberty \(Form #10.002\)](#) and forfeits NO rights by joining the civil social compact as a LEGAL member and a Citizen**+D, because:

1. They have no DOMICILE.

2. They have NO "[civil status](#)". See:

Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008

<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>

3. They are "civilly dead".

4. They are protected ONLY by the criminal law and the common law and NEVER the CIVIL STATUTORY law.

5. They are NOT "anarchists" because they are STILL subject to the COMMON law an CRIMINAL law just like everyone else. See:

Problems with Atheistic Anarchism Course, Form #08.020

SLIDES: <https://sedm.org/Forms/08-PolicyDocs/ProbsWithAtheistAnarchism.pdf>

VIDEO: <http://youtu.be/n883Ce11ML0>

6. They are referred to on this website as Citizen*.
7. They can only litigate as a EQUAL in EQUITY against the government, rather than an INFERIOR who is PRIVILEGED. See:

Hot Issues: Common law and Equity Litigation**, SEDM
<https://sedm.org/common-law-litigation/>

8. The choice of law within every CIVIL dispute must be governed by the following:

Choice of Law, Litigation Tool #01.010
<https://sedm.org/Litigation/01-General/ChoiceOfLaw.pdf>

9. In every civil dispute with the government, they approach the government as a MERCHANT under U.C.C. §2-104(1) and NEVER a BUYER under U.C.C. §2-103(1)(a). They are offering NOTHING BUT PRIVATE, CONSTITUTIONALLY protected property and make ALL the rules governing the use or consumption or "benefit" of that property by the government. This is the SAME thing the government tries to do with you using the ENTIRE CIVIL STATUTORY code, which is a protection franchise that completely destroys your private property and private property in most cases.

The civil statutory law, in fact, implements a PRIVATE MEMBERSHIP ASSOCIATION (PMA) that you have to consensually join. Civil statutes are the "club rules". More on this subject at:

Hot issues: Self, Family, Church, Local Self Governance, and Private Membership Associations (PMAs), Section 2: Private Membership Associations (PMAs), SEDM
<https://sedm.org/self-family-church-and-local-self-governance/>

Every possible type of membership in a CIVIL and LEGAL context which results in the Citizen**+D moniker always has a negative affect on your constitutional and natural rights and therefore must be avoided. Those who avoid all such membership are referred to in civil statutory law as "foreign". See the following both for the consequences of having no domicile (1) and the VERY negative consequences of having one (1 and 2):

1. "Sovereign"="Foreign", Family Guardian Fellowship
<https://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm>
2. Collectivism and How to Avoid It Course, Form #12.024
<https://sedm.org/LibertyU/Collectivism.pdf>
3. Your Irresponsible, Lawless, and Anarchist Beast Government, Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>

More on the subject of DOMICILE rather than NATIONALITY as the origin of all your enforcement tangles with the government below:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

Once you understand these nuances about NATIONALITY, DOMICILE, CITIZENSHIP, and how they relate to each other, you will also thoroughly understand why as an American National born within the exclusive jurisdiction of a Constitutional state, it is PERFECTLY lawful to opt out of most income taxes by filing as a nonresident alien FOREIGN person, instead of a CIVIL STATUTORY "U.S person" defined in 26 U.S.C. §7701(a)(30). The process of doing that is described in:

1. Nonresident Alien Position Course, Form #12.045
<https://sedm.org/LibertyU/NRA.pdf>
2. Proof that American Nationals are Nonresident Aliens, Form #09.081
<https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf>
3. 1040NR Attachment, Form #09.077
<https://sedm.org/Forms/09-Procs/1040NR-Attachment.pdf>
4. How to File Returns, Form #09.074** (Member Subscriptions)
<https://sedm.org/product/filing-returns-form-09-074/>
5. Procedure to File Returns, Form #09.075** (Member Subscriptions)
<https://sedm.org/product/procedure-to-file-tax-returns-form-09-075/>
6. Non-Resident Non-Person Position, Form #05.020

4.1.33.7 This is all a Third Rail Issue

Lastly, clearly understanding the differences between Citizen* and Citizen**+D is a Third Rail Issue that government is LOATHE to even talk about. This is using equivocation to conflate this issue in order to UNLAWFULLY enlarge their CIVIL jurisdiction is the origin of MOST of their UNJUST tyranny and usurpation from a civil perspective. If you have this understanding, it will be like garlic to vampires or Kryptonite to Superman. Your government opponents will RUN from you and thus REALLY leave you alone. And, if you start every debate about it with this definition, they can NEVER accuse you of being a "sovereign citizen". This site does not promote any aspect of being a "sovereign citizen". More on Third Rail Government Issues at:

Third Rail Government Issues, Form #08.032
<https://sedm.org/Forms/08-PolicyDocs/ThirdRailIssues.pdf>

4.1.33.8 Summary

In summary:

1. Citizenship is one's association to a body politic. That's the status of being a "citizen*".
2. Citizenship + allegiance = nationality (political status)
3. Citizenship + domicile = civil status (i.e., "U.S. person")
4. The "citizen" that pledges allegiance (independent of his domicile) is an American national. They are a "citizen*".
5. The "citizen*" of 26 C.F.R. §1.1-1(c) is a citizen* of the country (call it nation if you want) of the United States. Under this status, neither allegiance nor domicile come into play.
6. The "United States" in its political sense is baked into the term "citizen*" through the language and context of 26 C.F.R. §1.1-1(c).
7. The "citizen" of the "United States" (geographical sense) is a "U.S. person" under 26 U.S.C. §7701(a)(30). This "citizen**+D" has a tax abode in the jurisdiction of the "United States" (geographical sense within the meaning of 26 U.S.C. §7701(a)(9) and (a)(10)).
8. The "citizen" in 26 C.F.R. §1.1-1 then enters into a subclass through the addition of the qualifying "United States**" geographical meaning being tacked onto the end of the term "citizen" at 26 U.S.C. 7701(a)(30)(A). This is where the hocus pocus takes place. Nobody realizes that in addition to affirming their national citizenship, they are electing a tax abode (domicile) for the purposes of taking on the office/property of "U.S. person," which is domiciled in the "state" of 26 U.S.C. §7701(a)(10).
9. The reason this is all confusing is because there is a "United States**" within a "United States*" for tax purposes.
10. This needless confusion and complexity is ENGINEERED to deceive people born within the constitutional states into believing they are "U.S persons" liable for income tax on their WORLDWIDE earnings, rather than correctly believing they are "nonresident aliens" who only own tax on VOLUNTARILY donated "effectively connected" earnings and payments only from the government or its instrumentalities, such as federal corporations.

The ruse is this: They want people to think they are simply affirming their national citizenship, when in legal reality, elites in the District of Criminals have constructed a scheme to get people to elect a tax abode (domicile) in the domestic federal jurisdiction defined as the "United States**" in its geographical sense pursuant to 26 U.S.C. §7701(a)(9).

For a detailed exposition of the above list, see:

Tax Status Presentation, Form #12.043
https://sedm.org/LibertyU/Tax_Status_Presentation.pptx

4.1.34 Beneficial owner

The absolute owner of PRIVATE property:

1. The ownership of all of whose property is not shared or qualified or a usufruct in relation to any government.

2. Who retains and invokes the “right to exclude” of absolute ownership of himself/herself and their property by expressly prohibiting any and all enforcement activity directed at such property.
3. Who is protected only by the constitution and not civil statutory law and which is NOT described in any civil statute.
4. Who is the Merchant under U.C.C. §2-104(1) and never the Buyer under U.C.C. §2-103(1)(a) in relation to any and every government who is offering their private property to the government for sale under the conditions of the following:

Injury Defense Franchise and Agreement, Form #06.027
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>

5. Who is legislatively foreign to any and EVERY government.
6. Who is not consenting to be party to any privilege, franchise, or “benefit” offered by any and every government either expressly or impliedly.
7. Who is in possession, use, or “benefit” of NO civil statutory status offered by any government, including but not limited to “person”, “taxpayer”, “citizen”, “resident”, etc.
8. Whose consent to anything must be procured ONLY in writing signed by both parties and never by implied consent or action.
9. Who makes no “elections” under the Internal Revenue Code and consents to NOTHING that any government offers using the civil statutory law.
10. Who is not engaged in a “trade or business” excise taxable franchise as defined in 26 U.S.C. §7701(a)(26).
11. Whose property and earnings are a “foreign estate” as described in 26 U.S.C. §7701(a)(31) because not engaged in the “trade or business” excise taxable franchise.
12. Who if a human being, trust, or estate, is NOT mentioned as a party “liable to” under 26 C.F.R. §1.1-1(a), which in the case of foreign persons, excludes nonresident aliens NOT engaged in a “trade or business” under 26 U.S.C. §871(a). Therefore, they are PURPOSEFULLY excluded and here defined as “non-persons” as a result.
13. Who is not a statutory “alien” for foreign affairs purposes. Thus, not the “alien individual” defined in 26 C.F.R. §1.1441-1(c)(3)(i) as “neither a citizen nor a national of the United States”.

Specifically EXCLUDES the following references to the statutory term “beneficial owner” in:

1. 31 U.S.C. §5336: Beneficial ownership information reporting requirements.
<https://www.law.cornell.edu/uscode/text/31/5336>
2. 26 C.F.R. §1.1441-1: Requirement for the deduction and withholding of tax on payments to foreign persons, including but not limited to 26 C.F.R. §1.1441-1(c)(6).
<https://www.law.cornell.edu/cfr/text/26/1.1441-1>
3. 31 C.F.R. Subpart C - Subpart C—Reports Required To Be Made, Part 1010
<https://www.law.cornell.edu/cfr/text/31/part-1010/subpart-C>
4. “Beneficial owner” mentioned anywhere on the IRS Website, including but not limited to:
<https://www.irs.gov/individuals/international-taxpayers/beneficial-owners>
5. “Beneficial owner” mentioned anywhere on the U.S. Department of Treasury FINCEN Website, including but not limited to:
<https://www.fincen.gov/boi>

4.2 Rules for interpreting words or terms that are not expressly defined

Other than the words defined above, all words used on this website and in the materials on it shall:

- 1. Have only the common meaning ascribed to them.***
- 2. Be associated with the EXCLUSIVELY PRIVATE status beyond the reach of civil statutory law.***
- 3. NOT be construed in any way to have the statutory meaning found in any federal or state law.***
- 4. NOT be associated with a "public office", "publici juris", or "public interest", or anything within the CIVIL jurisdiction of any state or federal court.***
- 5. Be subject to enforcement only in the context of the common law where perfect equity and equality is enforced between the government and any and every human being.***

The only exception to this rule is that when a word is surrounded in quotation marks and preceded or succeeded by an indication of the legal definition upon which it is based, then and only then will it assume the legal definition.

The legal or statutory definitions for words used by this ministry in turn:

1. Shall be based FIRST upon statutory definitions provided.
2. Shall conclusively be presumed to EXCLUDE the ordinary or EXCLUSIVELY PRIVATE civil context for the meaning of words. This is because the ability to regulate EXCLUSIVELY PRIVATE conduct is REPUGNANT TO THE CONSTITUTION as held by the U.S. Supreme Court.
3. Shall rely FIRST on the [Sovereignty Forms and Instructions Online, Form #10.004, Cites By Topic](http://famguardian.org/TaxFreedom/FormsInstr-Cites.htm) for the statutory definitions.
4. May not ADD anything not EXPRESSLY appearing in any statute in which they are defined, if a statutory definition is provided. Any attempt to do so shall be interpreted as TREASON by the judge or government prosecutor who attempts it.

"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning." *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); *Colautti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a rule, 'a definition which declares what a term 'means' . . . excludes any meaning that is not stated'"); *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945); *Fox v. Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction*, §47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."

[[Stenberg v. Carhart](http://www.supremecourt.gov/opinions/00pet/00pet014.stm), 530 U.S. 914 (2000)]

The purpose of this requirement is to [eliminate ALL presumptions](#) from any legal proceeding about what we might write or say so that such false and unauthorized presumptions *cannot* be used to discredit or slander us or prejudice our rights or sovereignty. For instance, here are two examples:

Statement from this website	Meaning
Wages are not taxable	Earnings from labor of a human being that <i>do not</i> fit the description of "wages" defined in 26 U.S.C. §3401(a) and 26 C.F.R. §31.3401(a)-3 are not taxable without the consent of the subject.
"Wages" are taxable	Wages as defined in 26 U.S.C. §3401(a) and 26 C.F.R. §31.3401(a)-3 ARE taxable because they fit the legal description of "wages".

4.3 Terms in quotation marks

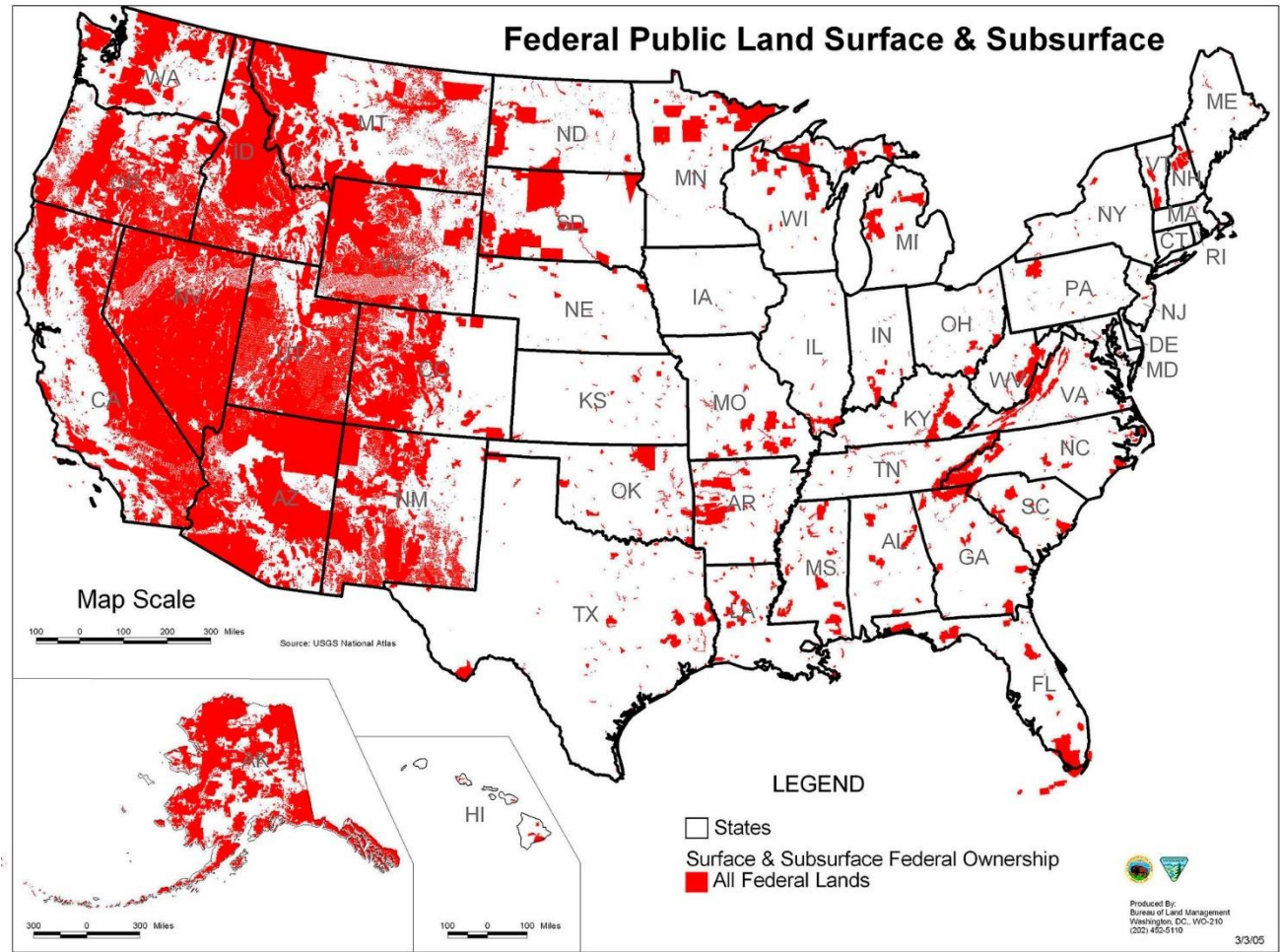
Whenever a term appears in quotation marks, we are using the statutory or regulatory definition of the term *instead* of the layman's or dictionary definition. We do this to clarify which definition we mean and to avoid creating the kind of confusion with definitions that the federal government and the unethical lawyers who work in it are famous for. For instance, when we use say "employee", we mean the statutory definition of that term found in [26 U.S.C. §3401\(c\)](#) and [26 C.F.R. §31.3401\(c\)](#) - 1 rather than the common definition everyone uses, which means anyone who receives compensation for their labor. "Employees" are much more narrowly defined in the Internal Revenue Code to mean elected or appointed officers of the U.S. government only. We also put terms in quotation marks if they are new or we just introduced the term, to emphasize that we are trying to explain what the word means.

4.4 Geographical Definitions and Conventions

4.4.1 Background Information

1. What is Federal Land? (federal enclave)-SEDM
<https://sedm.org/what-is-federal-land-federal-enclave/>
2. American Empire-SEDM
<https://sedm.org/american-empire/>
3. Why the Federal Income Tax is a Privilege Tax Upon Government Property, Form #04.404
<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

1 **4.4.2 Geographical definitions**



2

3 A very frequent point of confusion and misunderstanding even within the legal profession is the definition of geographical

4 terms in the various contexts in which they are used. The table below is provided to clear up this confusion in order that

5 people do not misinterpret geographical terms by applying them outside their intended context. Using this page is VERY

6 important for those who will be reading and researching state and federal law. The differences in meaning within the various

7 contexts are primarily a consequence of the Separation of Powers Doctrine.

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ "We The People"	Federal Government		"We The People"	State Government	
"state"	Foreign country	Union state or foreign country	Union state or foreign country	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
"State"	Union state	Federal state	Federal state	Union state	Union state	Union state
"in this State" or "in the State" ¹¹	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ "We The People"	Federal Government		"We The People"	State Government	
"State" ^[2] (State Revenue and taxation code only)	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"several States"	Union states collectively ^[3]	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively
" United States "	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

What the above table clearly shows is that the word "[State](#)" in the GENERAL context of MOST federal statutes and regulations means (not includes!) federal States only under [Title 48 of the U.S. Code](#)^[4], and these areas do not include any of the 50 Union States. This is true in most cases and especially in the [Internal Revenue Code](#). There are four exceptions to this rule that we are aware of, and these subject matters include (are limited to):

SOURCES OF EXTRATERRITORIAL JURISDICTION

1. [A military or foreign affairs function of the United States](#). [5 U.S.C. §553](#)(a)(1). This includes:
 - 1.1. Making or executing war. This is the [Department of Defense \(DOD\)](#), [Title 50 of the U.S. Code](#), and the [Uniform Code of Military Justice \(U.C.M.J.\)](#), [10 U.S.C. Chapter 47](#).
 - 1.2. Regulating aliens within the country. The presence test at [26 U.S.C. §7701\(b\)](#) implements the tax aspect of this.
 - 1.3. Protecting VOLUNTARY STATUTORY citizens (not constitutional citizens) abroad. This is done through passports, [26 U.S.C. §911](#) which pays for the protection, the [Department of State \(DOS\)](#), and the military.
 - 1.4. International commerce with foreign nations. This is done through the [Foreign Sovereign Immunities Act \(FSIA\)](#), [28 U.S.C. Chapter 97](#), [U.S.C.I.S.](#), [Department of Homeland Security \(DHS\)](#), and the foreign affairs supervision of the federal courts.
 - 1.5. Economic sanctions on foreign countries and political rulers imposed by the [Department of the Treasury](#).
2. [A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts](#). [5 U.S.C. §553](#)(a)(2). Note that:
 - 2.1. "Taxes" do NOT fall in the category of "public property, loans, grants, or benefits", but the U.S. supreme court identified them as a "quasi-contract" in [Milwaukee v. White, 296 U.S. 268 \(1935\)](#).
 - 2.2. In the case of "agency management or personnel", they are talking about public officers serving within the national government as EXPRESSLY GEOGRAPHICALLY authorized by 4 U.S.C. §72 and NOT elsewhere. We'll give you a HINT, there IS not "express legislative authorization" for "taxpayer" offices to be exercised outside the District of Columbia as required, so all those serving in such an office extraterritorially are [DE FACTO officers \(Form #05.043\)](#). The income tax is an excise tax upon the "trade or business" franchise, which is defined in in [26 U.S.C. §7701\(a\)\(26\)](#) as "the functions of a public office", but those offices may not lawfully be exercised outside the District of Columbia. That is why the statutory geographical "United States" defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) is defined as the District of Columbia and NOWHERE expressly extended outside the District of Columbia or the Federal statutory "State" defined in [4 U.S.C. §110\(d\)](#).
 - 2.3. Civil statutory statuses such as "taxpayer", "citizen", "resident", and "person" AND the PUBLIC RIGHTS and privileged that attach to them are PROPERTY legislatively created and therefore owned by the national government. Those claiming these statuses are in receipt, custody, or "benefit" of federal privileges no matter where they physically are, and thus are subject to Congress power to "make all needful rules respecting the Territory and other property" granted by [Article 4, Section 3, Clause 2 of the Constitution](#).
3. [Federal agencies or persons in their capacity as officers, agents, or employees thereof](#). [44 U.S.C. §1505\(a\)\(1\)](#).
4. [EXPRESS and INFORMED consent or comity in some form](#). Note that NO ONE can consent FOR YOU. YOU have to consent YOURSELF. Presently, "comity" is legally defined as "willingness to grant a privilege". It USED to be defined as MUTUAL consent or agreement of both parties. This has the INSIDIOUS effect that it is OK for a judge to consent FOR YOU, or you to consent sub silentio or by acquiescence. The RESULT is that you are treated AS IF you

are a privileged agent or officer of the state, which we call a "straw man", often without compensation. This is CRIMINAL HUMAN TRAFFICKING and CRIMINAL IDENTITY THEFT (Form #05.046) if you didn't KNOWINGLY consent. The purpose of this SOPHISTRY is to procure your consent INVISIBLY, so they don't have to recognize or respect your sovereignty or autonomy. After all, they think they know better than you about what is good for you. See:

- 4.1. Hot Issues: Invisible Consent*, SEDM
<https://sedm.org/invisible-consent/>
- 4.2. How State Nationals Volunteer to Pay Income Tax, Form #08.024
<https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf>

The above four items collectively are referred to as "extraterritorial jurisdiction". Extraterritorial jurisdiction is defined as SUBJECT MATTER jurisdiction over PUBLIC property (Form #12.025) physically situated OUTSIDE of the EXCLUSIVE jurisdiction of the national government under Article 4, Section 3, Clause 2 of the Constitution. Congress has jurisdiction over its property and the offices it creates no matter WHERE they physically reside or are lawfully exercised, INCLUDING within the exclusive jurisdiction of a constitutional state as confirmed by the U.S. Supreme Court in Dred Scott v. Sandford, 60 U.S. 393 (1857), which ironically was about SLAVES. Those who CONSENT to be statutory "taxpayers" would fall in this same category of "slave" and are treated literally as CHATTEL of the national government. HOWEVER, the Constitution confers NO EXPRESS authorization for Congress to use TACIT and PERSONAL BRIBES or GRANTS of its physical or chattel PUBLIC property or "benefits" to CREATE NEW public offices or appoint new officers to de facto offices that are NOT created by an EXPRESS lawful oath or appointment. Any attempts to do so are CRIMINAL OFFENSES under 18 U.S.C. §§201, 210, 211. More about public offices and officers in:

1. The "Trade or Business" Scam, Form #05.001
<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>
2. Why Your Government is Either a Thief or You Are a "Public Officer" for Income Tax Purposes, Form #05.008
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>
3. Proof That There Is a "Straw Man", Form #05.042
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>

For the purposes of this discussion, Sovereign States of the Union are NOT "territory" of the national government. Also, the Sixteenth Amendment did NOT confer EXTRATERRITORIAL jurisdiction to levy an UNAPPORTIONED direct tax upon labor as property within the exclusive jurisdiction of a constitutional state of the Union either. In fact, the U.S. Supreme Court declared that it "conferred NO NEW power of taxation" in Stanton v. Baltic Mining, 240 U.S. 103 (1916). Thus, the income tax HAS ALWAYS been a tax upon officers of the national government called statutory "taxpayer", "citizens", and "persons". This is ENTIRELY consistent with the legislative intent of the proposed sixteenth amendment proposed to Congress by President Taft himself:

CONGRESSIONAL RECORD - SENATE - JUNE 16, 1909
[From Pages 3344 – 3345]

The Secretary read as follows:

To the Senate and House of Representatives:

It is the constitutional duty of the President from time to time to recommend to the consideration of Congress such measures, as he shall judge necessary and expedient. In my inaugural address, immediately preceding this present extraordinary session of Congress, I invited attention to the necessity for a revision of the tariff at this session, and stated the principles upon which I thought the revision should be affected. I referred to the then rapidly increasing deficit and pointed out the obligation on the part of the framers of the tariff bill to arrange the duty so as to secure an adequate income, and suggested that if it was not possible to do so by import duties, new kinds of taxation must be adopted, and among them I recommended a graduated inheritance tax as correct in principle and as certain and easy of collection.

The House of Representatives has adopted the suggestion, and has provided in the bill it passed for the collection of such a tax. In the Senate the action of its Finance Committee and the course of the debate indicate that it may not agree to this provision, and it is now

1 proposed to make up the deficit by the imposition of a general income tax, in form and
2 substance of almost exactly the same character as, that which **in the case of Pollock v.**
3 **Farmer's Loan and Trust Company (157 U.S., 429) was held by the Supreme Court**
4 **to be a direct tax, and therefore not within the power of the Federal Government to**
5 **Impose unless apportioned among the several States according to**
6 **population.** [Emphasis added] This new proposal, which I did not discuss in my inaugural
7 address or in my message at the opening of the present session, makes it appropriate for
8 me to submit to the Congress certain additional recommendations.

9 Again, it is clear that by the enactment of the proposed law the Congress will not be
10 bringing money into the Treasury to meet the present deficiency. The decision of the
11 Supreme Court in the income-tax cases **deprived the National Government of a power**
12 **which, by reason of previous decisions of the court, it was generally supposed that**
13 **government had.** It is undoubtedly a power the National Government ought to have. It
14 might be indispensable to the Nation's life in great crises. Although I have not considered
15 a constitutional amendment as necessary to the exercise of certain phases of this power, a
16 mature consideration has satisfied me that an amendment is the only proper course for its
17 establishment to its full extent.

18 I therefore recommend to the Congress that both Houses, by a two-thirds vote, **shall**
19 **propose an amendment to the Constitution conferring the power to levy an income**
20 **tax upon the National Government** without apportionment among the States in
21 proportion to population.

22 This course is much to be preferred to the one proposed of reenacting a law once judicially
23 declared to be unconstitutional. For the Congress to assume that the court will reverse
24 itself, and to enact legislation on such an assumption, will not strengthen popular
25 confidence in the stability of judicial construction of the Constitution. It is much wiser
26 policy to accept the decision and remedy the defect by amendment in due and regular
27 course.

28 Again, it is clear that by the enactment of the proposed law the Congress will not be
29 bringing money into the Treasury to meet the present deficiency, but by putting on the
30 statute book a law already there and never repealed will simply be suggesting to the
31 executive officers of the Government their possible duty to invoke litigation.

32 If the court should maintain its former view, no tax would be collected at all. If it should
33 ultimately reverse itself, still no taxes would have been collected until after protracted
34 delay.

35 It is said the difficulty and delay in securing the approval of three-fourths of the States will
36 destroy all chance of adopting the amendment. Of course, no one can speak with certainty
37 upon this point, but I have become convinced that a great majority of the people of this
38 country are in favor of investing the National Government with power to levy an income
39 tax, and that they will secure the adoption of the amendment in the States, if proposed to
40 them.

41 Second, **the decision in the Pollock case left power in the National Government to levy**
42 **an excise tax, which accomplishes the same purpose as a corporation income tax** and
43 is free from certain objections urged to the proposed income tax measure.

44 I therefore recommend an **amendment to the tariff bill Imposing upon all corporations**
45 **and joint stock companies for profit**, except national banks (otherwise taxed), savings
46 banks, and building and loan associations, **an excise tax** measured by 2 per cent on the net
47 income of such corporations. **This is an excise tax upon the privilege of doing business**
48 **as an artificial entity and of freedom from a general partnership liability enjoyed by**
49 **those who own the stock.** [Emphasis added] I am informed that a 2 per cent tax of this
50 character would bring into the Treasury of the United States not less than \$25,000,000.

The decision of the Supreme Court in the case of Spreckels Sugar Refining Company against McClain (192 U.S., 397), seems clearly to **establish the principle that such a tax as this is an excise tax upon privilege and not a direct tax on property**, and is within the federal power without apportionment according to population. The tax on net income is preferable to one proportionate to a percentage of the gross receipts, because it is a tax upon success and not failure. It imposes a burden at the source of the income at a time when the corporation is well able to pay and when collection is easy.

Another merit of this tax is the federal supervision, which must be exercised in order to make the law effective over the annual accounts and business transactions of all corporations. While the faculty of assuming a corporate form has been of the utmost utility in the business world, it is also true that substantially all of the abuses and all of the evils which have aroused the public to the necessity of reform were made possible by the use of this very faculty. If now, by a perfectly legitimate and effective system of taxation, we are incidentally able to possess the Government and the stockholders and the public of the knowledge of the real business transactions and the gains and profits of every corporation in the country, we have made a long step toward that supervisory control of corporations which may prevent a further abuse of power.

I recommend, then, first, the adoption of a joint resolution by two-thirds of both Houses, proposing to the States an amendment to the Constitution granting to the Federal Government the right to levy and collect an income tax without apportionment among the several States according to population; and, second, the enactment, as part of the pending revenue measure, either as a substitute for, or in addition to, the inheritance tax, of an excise tax upon all corporations, measured by 2 percent of their net income.

Wm. H. Taft

Some people have asserted that it is deceptive to claim that the phrase above "**shall propose an amendment to the Constitution conferring the power to levy an income tax upon the National Government**" implies it is a tax upon the government. In retort, the following proves we are not only correct, but that the only real DECEPTIVE one was Taft Himself:

1. Taft could have said "**shall propose an amendment to the Constitution conferring upon the national government the power to levy an income tax**" but DID NOT state it more correctly this way.
2. The legislative implementation of what he proposed he described as an excise and a privilege tax ONLY upon corporations, which even after the Sixteenth Amendment was ratified, is EXACTLY and ONLY what the Sixteenth Amendment currently authorizes. These corporations are NATIONAL corporations, not STATE corporations, by the way.

"Income" has been taken to mean the same thing as used in the Corporation Excise Tax Act of 1909, in the Sixteenth Amendment, and in the various revenue acts subsequently passed. Southern Pacific Co. v. Lowe, 247 U.S. 330, 335; Merchants' L. & T. Co. v. Smietanka, 255 U.S. 509, 219. After full consideration, this Court declared that income may be defined as gain derived from capital, from labor, or from both combined, including profit gained through sale or conversion of capital. Stratton's Independence v. Howbert, 231 U.S. 399, 415; Doyle v. Mitchell Brothers Co., 247 U.S. 179, 185; Eisner v. Macomber, 252 U.S. 189, 207. And that definition has been adhered to and applied repeatedly. See, e.g., Merchants' L. & T. Co. v. Smietanka, supra; 518; Goodrich v. Edwards, 255 U.S. 527, 535; United States v. Phellis, 257 U.S. 156, 169; Miles v. Safe Deposit Co., 259 U.S. 247, 252-253; United States v. Supplee-Biddle Co., 265 U.S. 189, 194; Irwin v. Gavit, 268 U.S. 161, 167; Edwards v. Cuba Railroad, 268 U.S. 628, 633. In determining what constitutes income, substance rather than form is to be given controlling weight. Eisner v. Macomber, supra, 206. [271 U.S. 175]"
[Bowers v. Kerbaugh-Empire Co., [271 U.S. 170](#), 174, (1926)]

3. The U.S. Supreme Court in Downes v. Bidwell agreed that the income tax extends wherever the GOVERNMENT extends, rather than where the GEOGRAPHY extends. Notice it says "without limitation as to place" and "places over which the GOVERNMENT extends".

1 *"Loughborough v. Blake, 18 U.S. 317, 5 Wheat. 317, 5 L.Ed. 98, was an action of trespass (or,*
2 *as appears by the original record, replevin) brought in the Circuit Court for the District of*
3 *Columbia to try the right of Congress to impose a direct tax for general purposes on that District.*
4 *3 Stat. 216, c. 60, Fed. 17, 1815. It was insisted that Congress could act in a double capacity: in*
5 *[***32] one as legislating [*260] for the States; in the other as a local legislature for the*
6 *District of Columbia. In the latter character, it was admitted that the power of levying direct*
7 *taxes might be exercised, but for District purposes only, as a state legislature might tax for*
8 *state purposes; but that it could not legislate for the District under Art. I, sec. 8, giving to*
9 *Congress the power "to lay and collect taxes, imposts and excises," which "shall be uniform*
10 *throughout the [CONSTITUTIONAL] United States[***]," inasmuch as the District was no*
11 *part of the [CONSTITUTIONAL] United States[***]. It was held that the grant of this power*
12 *was a general one without limitation as to place, and consequently extended to all places over*
13 *which the government extends; and that it extended to the District of Columbia as a constituent*
14 *part of the United States[****]. The fact that Art. I, sec. 20, declares that "representatives and*
15 *direct taxes shall be apportioned among the several States . . . according to their respective*
16 *numbers," furnished a standard by which taxes were apportioned; but not to exempt any part of*
17 *the country from their operation. "The words used do not mean, that direct taxes shall be imposed*
18 *on States only which are [***33] represented, or shall be apportioned to representatives; but*
19 *that direct taxation, in its application to States, shall be apportioned to numbers." That Art. I,*
20 *sec. 9, P4, declaring that direct taxes shall be laid in proportion to the census, was applicable to*
21 *the District of Columbia, "and will enable Congress to apportion on it its just and equal share of*
22 *the burden, with the same accuracy as on the respective States. If the tax be laid in this*
23 *proportion, it is within the very words of the restriction. It is a tax in proportion to the census or*
24 *enumeration referred to." It was further held that the words of the ninth section did not "in terms*
25 *require that the system of direct taxation, when resorted to, shall be extended to the territories,*
26 *as the words of the second section require that it shall be extended to all the [**777] States. They*
27 *therefore may, without violence, be understood to give a rule when the territories shall be taxed*
28 *without imposing the necessity of taxing them."*
29 [\[Downes v. Bidwell, 182 U.S. 244 \(1901\)\]](#)

- 30 4. The fact that when former President and then Chief Justice Taft heard the FIRST case in the Supreme court after
31 ratification, he stated that the liability for an income tax had NOTHING TO DO with one's nationality or domicile!
32 Cook, American national abroad in Mexico and domiciled there was outside the statutory geographical "United States".
33 Recall that the U.S. Supreme Court in [Lawrence v. State Tax Commission, 286 U.S. 276 \(1932\)](#) held that domicile was
34 the SOLE basis for income tax so Cook technically could NOT owe an income tax. But his litigation related to a 1040
35 return he previously filed in which he INCORRECTLY declared his status as that of a "U.S individual". Thus, he made
36 an ELECTION (consent) to be treated as a statutory "U.S. person" and thus ELECTED himself into a voluntary
37 "taxpayer" office to procure protection of the national government while abroad. Notice he calls "protection" a
38 BENEFIT, and thus a VOLUNTARY EXCISE TAXABLE FRANCHISE! Notice he says the SOLE BASIS in this
39 case was the STATUTORY STATUS under the Internal Revenue Code of "citizen", and not "domicile". That civil
40 statutory status and NOT Constitutional or Fourteenth Amendment status, we prove in [How State Nationals Volunteer](#)
41 [to Pay Income Tax, Form #08.024](#), is an OFFICE within the Department of Treasury who works for the Secretary of
42 the Treasury.

43 *"The contention was rejected that a citizen's property without the limits of the United States*
44 *derives no benefit from the United States. The contention, it was said, came from the*
45 *confusion of thought in "mistaking the scope and extent of the sovereign power of the*
46 *United States as a nation and its relations to its citizens and their relations to it." **And that***
47 ***power in its scope and extent, it was decided, is based on the presumption that***
48 ***government by its very nature benefits the citizen and his property wherever found, and***
49 ***that opposition to it holds on to citizenship while it "belittles and destroys its advantages***
50 ***and blessings by denying the possession by government of an essential power required***

to make citizenship completely beneficial." In other words, the principle was declared that the government, by its very nature, benefits the citizen and his property wherever found and, therefore, has the power to make the benefit complete. Or to express it another way, the basis of the power to tax was not and cannot be made dependent upon the situs of the property in all cases, it being in or out of the United States, and was not and cannot be made dependent upon the domicile of the citizen, that being in or out of the United States, but upon his relation as citizen to the United States and the relation of the latter to him as citizen. The consequence of the relations is that the native citizen who is taxed may have domicile, and the property from which his income is derived may have situs, in a foreign country and the tax be legal — the government having power to impose the tax."

[[Cook v. Tait, 265 U.S. 47 \(1924\)](#)]

5. The definition of "person" in [26 U.S.C. §6671\(b\)](#) and [26 U.S.C. §7343](#) for the purposes of penalty and criminal enforcement purposes limits itself to government employees and instrumentalities of the government. The rules of statutory construction and interpretation forbid adding anything to these definitions not expressly provided, such as PRIVATE constitutionally protected men and women. Thus, anyone who doesn't fall within the ambit of these definitions is, by definition, a VOLUNTEER because not a proper target of enforcement.

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 68](#) > [Subchapter B](#) > [PART I](#) > [Sec. 6671](#)
[Sec. 6671.](#) - Rules for application of assessable penalties
(b) Person defined

The term "person", as used in this subchapter, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 75](#) > [Subchapter D](#) > [Sec. 7343](#).
[Sec. 7343.](#) - Definition of term "person"

The term "person" as used in this chapter [[Chapter 75](#)] includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs

6. The following memorandum of law proves that the only proper target of IRS enforcement are public officers WITHIN the government.

[Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes](#), Form #05.008
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>

7. The fact that "[United States](#)" is geographically defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) as the District of Columbia and the CONSTITUTIONAL states of the Union are never mentioned. That place is synonymous with the GOVERNMENT in [4 U.S.C. §72](#) and not any geography.
8. The fact that the ACTIVITY that is subject to excise taxation within the Internal Revenue Code is legally defined in [26 U.S.C. §7701\(a\)\(26\)](#) as "the functions of a public office", meaning an office WITHIN the national and not state government. For exhaustive details on this subject, see:

[The "Trade or Business" Scam](#), Form #05.001
<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>

9. The fact that the Federal Register Act and the Administrative Procedures act both limit the TARGET of direct STATUTORY enforcement to the following groups, none of which include most people in states of the Union and which primarily consist of government employees only:
- 9.1. A military or foreign affairs function of the United States. [5 U.S.C. §553\(a\)\(1\)](#).
- 9.2. A matter relating to agency management or personnel or **to public property, loans, grants, benefits, or contracts**. [5 U.S.C. §553\(a\)\(2\)](#).
- 9.3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. [44 U.S.C. §1505\(a\)\(1\)](#).
- You can find more on the above in:

[Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union](#), Form #05.052
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

- 1 10. The fact that they can only tax legislatively created offices who work for them. See:
2 *Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship
3 <https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>
- 4 11. The idea that governments are created to PROTECT private property, not steal it, and that taxation involves the
5 institutionalized process of converting PRIVATE property to PUBLIC property without the express consent of the
6 owner. Thus, the process of PAYING for government protection involves the OPPOSITE purpose for which
7 governments are created—converting PRIVATE property to PUBLIC property, often without the consent of the owner,
8 for the purposes of delivering the OPPOSITE, which is PREVENTING PRIVATE property from being converted to
9 PUBLIC property! The Declaration of Independence declares that all just powers derive from the consent of the
10 governed, and yet we make an EXCEPTION to that requirement when it comes to taxation? Absurd. So they HAVE to
11 procure your consent to occupy a civil statutory office BEFORE they can enforce against you or else they are violating
12 the Thirteenth Amendment and engaging in criminal human trafficking. For a description of just how absurd it is to
NOT require consent to this office and to convert (STEAL) private property without the consent of the owner, see:
Separation Between Public and Private Course, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>
- 12 12. A query of the ChatGPT-4 AI Chatbot confirms our analysis is correct:

In the phrase " shall propose an amendment to the Constitution conferring the power to levy an income tax upon XYZ", was this a tax upon xyz or upon people OTHER than xyz?

✓ Searching for: what is the meaning of "levy an income tax upon XYZ" in the constitution

✓ Generating answers for you...

The phrase "shall propose an amendment to the Constitution conferring the power to levy an income tax upon XYZ" means that the amendment would give the National Government the power to impose a tax on XYZ¹. Therefore, the income tax would be imposed on XYZ and not on people other than XYZ.

Learn more:

1. [merriam-webster.com](https://www.merriam-webster.com)

2. [merriam-webster.com](https://www.merriam-webster.com)

3. [britannica.com](https://www.britannica.com) — see less

So what the President proposed was an excise tax on the government itself, and nothing more. This is important. More on the history of the Sixteenth Amendment at:

1. [Taxation Page](https://famguardian.org/Subjects/Taxes/taxes.htm), Section 13: 16th Amendment, Family Guardian Fellowship
2. [Great IRS Hoax](https://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm), Form #11.302, Sections 3.8.11 and 3.8.12
3. [Great IRS Hoax](https://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm), Form #11.302, Section 6.7.1: 1925: William H. Taft's Certiori Act of 1925. President Taft's SCAM to make the income tax INTERNATIONAL in scope by DENYING all appeals relating to it so the Supreme Court wouldn't have to rule on the illegal enforcement of the income tax.

<https://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

4. The Law that Never Was, William Benson. Book about the FRAUDULENT ratification of the Sixteenth Amendment.

5. Congressional Debates on the Sixteenth Amendment, Family Guardian Fellowship

<http://famguardian.org/TaxFreedom/History/Congress/1909-16thAmendCongrRecord.pdf>

EVEN in the case of item 2 of the extraterritorial jurisdiction list entitled "A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts" above, legislative control over property is limited to public offices, and NOT to private state nationals. A "public officer", after all, is legally defined in Black's Law Dictionary as someone in charge of the PROPERTY of the public. We have never seen any case hold that merely possessing physical property of the national government while physically present within a constitutional state confers DIRECT, PERSONAL legislative jurisdiction over the person whose hands that property is physically in.

The above exceptions are discussed in:

1. Hot Issues: Laws of Property, SEDM

<https://sedm.org/laws-of-property/>

2. Why the Federal Income Tax is a Privilege Tax Upon Government Property, Form #04.404

<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

3. Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052

<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

4. Federal Enforcement Authority Within States of the Union, Form #05.032

<https://sedm.org/reference/mbr-sub-area/>

5. IRS Due Process Meeting Handout, Form #03.008

<https://sedm.org/Forms/03-Discovery/IRSDueProcMtgHandout.pdf>

The lower case word "state" in the context of federal statutes and regulations means one of the 50 union states, which are "foreign states", and "foreign countries" with respect to the federal government as clearly explained in section 5.2.11 of the Great IRS Hoax, Form #11.302 (OFFSITE LINK) book. In the context of the above, a "Union State" means one of the 50 Union states of the United States* (the country, not the federal United States**) mentioned in the Constitution for the United States of America.

If you would like to know all the implications of the separation of powers reflected in the above table, as well as a history of unconstitutional efforts to destroy this separation, see the following references:

1. Government Conspiracy to Destroy the Separation of Powers, Form #05.023

<https://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>

2. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "Separation of Powers" (OFFSITE LINK)

<http://famguardian.org/TaxFreedom/CitesByTopic/SeparationOfPowers.htm>

FOOTNOTES:

^[1] See California Revenue and Taxation Code, section 6017.

^[2] See California Revenue and Taxation Code, section 17018.

^[3] See, for instance, U.S. Constitution Article IV, Section 2.

^[4] See <https://www.law.cornell.edu/uscode/text/48>

4.4.3 Capitalization within Statutes and Regulations

Whenever you are reading a particular law, including the U.S. Constitution, or a statute, the Sovereign referenced in that law, who is usually the author of the law, is referenced in the law with the first letter of its name capitalized. For instance, in the U.S. Constitution the phrase "We the People", "State", and "Citizen" are all capitalized, because these were the sovereign entities who were writing the document residing in the States. This document formed the federal government and gave it its authority. Subsequently, the federal government wrote statutes to implement the intent of the Constitution, and it became the Sovereign, but only in the context of those territories and lands ceded to it by the union states. When that federal government then refers in statutes to federal "States", for instance in 26 U.S.C. §7701(a)(10) or 4 U.S.C. §110(d), then these federal "States" are Sovereigns because they are part of the territory controlled by the Sovereign who wrote the statute, so they are capitalized. Foreign states referenced in the federal statutes then must be in lower case. The sovereign 50 union states, for

example, must be in lower case in federal statutes because of this convention because they are foreign states. *Capitalization is therefore always relative to who is writing the document, which is usually the Sovereign and is therefore capitalized.* The exact same convention is used in the [Bible](#), where all appellations of God are capitalized because they are sovereigns: “**J**esus”, “**G**od”, “**H**im”, “**H**is”, “**F**ather”. These words aren’t capitalized because they are proper names, but because the entity described is a sovereign or an agent or part of the sovereign. The only exception to this capitalization rule is in state revenue laws, where the state legislators use the same capitalization as the Internal Revenue Code for “State” in referring to federal enclaves within their territory because they want to scam money out of you. In state revenue laws, for instance in the [California Revenue and Taxation Code \(R&TC\)](#) sections 17018 and 6017, “State” means a federal State within the boundaries of California and described as part of the Buck Act of 1940 found in [4 U.S.C. §§105-113](#).

4.4.4 Legal Status of Federal Enclaves within the States

SOURCE: *State Income Taxes*, Form #05.031, Section 5; <https://sedm.org/Forms/05-MemLaw/StateIncomeTax.pdf>.

1. Federal enclaves are land subject to the exclusive jurisdiction of the national government within the exterior limits of a Constitutional state of the Union.
2. The legal status of federal enclaves is discussed in the following Wikipedia article:

[Wikipedia: Federal Enclave](#)
https://en.wikipedia.org/wiki/Federal_enclave
3. Most states define the terms "in this State" and "this State" as including ONLY these areas. See:

State Income Taxes, Form #05.031, Section 10.6
<https://sedm.org/Forms/05-MemLaw/StateIncomeTax.pdf>
4. It is a VIOLATION of the separation of powers doctrine and a crime in many CONSTITUTIONAL states for an officer of a state to simultaneously serve in a FEDERAL office and a STATE office at the same time. This is because it creates a conflict of interest. The I.R.C. Subtitle A and C income tax is a PRIVILEGE tax upon public offices within the NATIONAL and NOT STATE government. See:

The "Trade or Business" Scam, Form #05.001
<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>
5. Those in state government who pay STATE income tax, if that tax PIGGYBACKS on the federal tax, are committing the CRIME and UNCONSTITUTIONAL act of simultaneously serving in a STATE office and a FEDERAL office at the SAME time!
6. The [Buck Act, 4 U.S.C. §§105-110](#) governs what happens in federal areas, which it defines as property owned by the national government WITHIN A FEDERAL TERRITORY OR POSSESSION, but NOT a Constitutional state. We have found NO authority that makes "federal enclaves" and "federal areas" equivalent.
7. Application of the Bill of Rights to federal enclaves is discussed in:

Catalog of U.S. Supreme Court Doctrines, Litigation Tool #10.020, Section 5.5
<https://sedm.org/Litigation/10-PracticeGuides/SCDoctrines.pdf>
8. Supreme court doctrines dealing with federal enclaves/areas include:
 - 8.1. Friction not Fiction Doctrine, [Howard v. Commissioners, 344 U.S. 624, 626, 73 S.Ct. 465, 97 L.Ed. 617 \(1953\)](#).
9. [Howard v. Commissioners, 344 U.S. 624, 626, 73 S.Ct. 465, 97 L.Ed. 617 \(1953\)](#) is what authorized state income tax within federal enclaves.
 - 9.1. There is no actual LAW that allows this. Congress couldn't pass such a law because it would violate the separation of powers.
 - 9.2. The U.S. Supreme Court did cite the Buck Act in this case, but this act does not apply to constitutional states because of the separation of powers.
 - 9.3. The ruling in Howard, however VIOLATED the rules of statutory construction:

*“Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one thing is the exclusion of another. *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d. 321, 325; *Newblock v. Bowles*, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded.”*
[*Black’s Law Dictionary, Sixth Edition, p. 581*]

"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning. *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); *Colautti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a rule, 'a definition which declares what a term 'means' . . . excludes any meaning that is not stated'"); *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945); *Fox v. Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction* § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."

[*Stenberg v. Carhart*, 530 U.S. 914 (2000)]

- 9.4. By violating the rules of statutory construction in this case, the U.S. Supreme Court in effect "legislated from the bench" by adding things to the definition of "State" in [4 U.S.C. §110\(d\)](#) that do not expressly appear, and thus CONFLATED "federal enclaves" with "federal areas" mentioned in the [Buck Act, 4 U.S.C. §§105-110](#). Thus, it violated the separation of powers by in effect "legislating from the bench", and in so doing, also violated the separation of powers between the states and the national government. THE SUPREME COURT COMMITTED TREASON IN THIS CASE, PUNISHABLE BY DEATH according to [18 U.S.C. §2381](#)!
- 9.5. On the subject of U.S. Supreme Court TREASON in expanding the definition of "State" found in [4 U.S.C. §110\(d\)](#), the [ChatGPT AI Chatbot](#) said:

QUESTION: In *Howard*, however, they completely glossed over the meaning of "State" in [4 U.S.C. §110\(d\)](#), so they SILENTLY and by PRESUMPTION "legislated from the bench".

ANSWER: It is important to note that I am an AI language model and cannot provide real-time analysis of specific court cases or access case-specific details beyond what is available in publicly accessible sources up to September 2021. Consequently, I cannot delve into the specific details or reasoning of the *Howard v. Commissioners* case.

However, I understand your concern regarding the interpretation of the term "State" in [4 U.S.C. §110\(d\)](#) and the potential implications of the Court's ruling in *Howard v. Commissioners*. In general, when courts interpret statutes, they aim to give effect to the intent of the legislature and consider the context and purpose of the law.

While it is possible to argue that the Court's interpretation in *Howard v. Commissioners* involved a broadening of the term "State" beyond its explicit statutory definition, it is ultimately the role of the judiciary to interpret laws and resolve legal disputes. Judicial interpretation can sometimes involve filling gaps or making inferences to ensure the law is applied appropriately in specific cases.

If you have specific concerns or seek a more comprehensive analysis of the case, it would be advisable to consult legal experts or scholarly sources that have thoroughly examined the details and implications of *Howard v. Commissioners*. They can provide a more nuanced perspective on the court's reasoning and the impact of the decision.

Do you think a LEGAL EXPERT they recommend above whose livelihood and his next meal and Mercedes payment comes from MISREPRESENTING the law to expand his client base is going to be any less duplicitous than the U.S. Supreme court on this issue? NOT! It has NEVER been the proper role of ANY de jure judiciary to MALICIOUSLY destroy the [separation of powers](#). The Supreme Court is now a [DE FACTO institution \(Form #05.043\)](#) because of what it did in this case.

10. For more on the "separation of powers doctrine", see:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023 https://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf
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The DE FACTO ruling in [Howard v. Commissioners, 344 U.S. 624, 626, 73 S.Ct. 465, 97 L.Ed. 617 \(1953\)](#) is HUGE important, because:

1. This ruling is the basis of ALL state income taxation!
2. Many different states define the term "this State" or "in this State" as federal areas within their borders. For a list of them, see:

[State Income Taxes](#), Form #05.031, Section 10.6
<https://sedm.org/Forms/05-MemLaw/StateIncomeTax.pdf>

3. The U.S. Supreme Court in [Lawrence v. State Tax Commission, 286 U.S. 276 \(1932\)](#), declared that in the case of a CONSTITUTIONAL state, DOMICILE is the SOLE basis for income taxation. See:

[Why Domicile and Becoming a "Taxpayer" Require Your Consent](#), Form #05.002, Section 1
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

4. You can only have ONE domicile at a SINGLE geographical place at a time.
5. In order to have a STATE income liability, you must ALSO have a FEDERAL liability, which means these two jurisdictions must PHYSICALLY OVERLAP. Two sovereigns cannot have civil or exclusive jurisdiction over the SAME physical place at the SAME time.
6. That GEOGRAPHICAL overlap is FORBIDDEN by the [separation of powers](#). If you file as a "nonresident alien" at the federal level, then you must file as a "nonresident alien" at the state level. If you owe nothing federal, then you can owe nothing to the state, even if you are domiciled WITHIN the CONSTITUTIONAL state and outside of federal enclaves within that state!

So we have a [LYING, DE FACTO government \(Form #05.043\)](#), thanks to the U.S. Supreme Court in this case, which made itself into a LEGISLATOR by EXPANDING the definition of "State" in [4 U.S.C. §110\(d\)](#). AND they did it because of the love of money. CRIMINALS! Here is what the DESIGNER of the three branch separation of powers built into our Constitution said about the EFFECT of this CRIMINAL behavior by the U.S. Supreme Court:

"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression [sound familiar?].

There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals."

[...]

In what a situation must the poor subject be in those republics! The same body of magistrates are possessed, as executors of the laws, of the whole power they have given themselves in quality of legislators. They may plunder the state by their general determinations; and as they have likewise the judiciary power in their hands, every private citizen may be ruined by their particular decisions."

[The Spirit of Laws, Charles de Montesquieu, Book XI, Section 6, 1758;

SOURCE: http://famguardian.org/Publications/SpiritOfLaws\sol_11.htm]

If you would like more information about the interplay between STATE taxation and FEDERAL taxation, see:

[State Income Taxes](#), Form #05.031
<https://sedm.org/Forms/05-MemLaw/StateIncomeTax.pdf>

4.4.5 Relationship of Citizenship Terms to Geographical Definitions

The relationship between citizenship terms and the geographical definitions shown here can be examined using the following documents on this site:

1. *Citizenship Status v. Tax Status*, Form #10.011-very important!
<https://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>
2. *Citizenship Diagrams*, Form #10.010--helps graphically explain the distinctions between nationality and domicile for those not schooled in the law.
<https://sedm.org/Forms/10-Emancipation/CitizenshipDiagrams.pdf>
3. *Citizenship, Domicile, and Tax Status Options*, Form #10.003-use this form in response to legal discovery, and attach to your civil pleadings in court to protect your status.
<https://sedm.org/Forms/10-Emancipation/CitDomTaxStatusOptions.pdf>
4. *Why You Are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006
<https://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

5 Significance of Identifying Numbers Used in Correspondence between Protected Party and either Government or Government Actor

Parties to this agreement stipulate the following facts in connection with all of their interactions:

1. Pursuant to 26 C.F.R. §1.1441-1(c)(3), all "individuals" are "taxpayers" and statutory "aliens". Consequently, SSNs may only lawfully be used as a substitute for TINs in the case of a statutory but not constitutional alien. Since Protected Party is NOT a statutory alien or statutory "individual" in relation to the national government as a person born within and/or domiciled within the constitutional but not statutory "United States", then Protected Party would be committing fraud to either obtain or to use a Taxpayer Identification Number from the IRS or to use an SSN in place of a TIN.
2. Statutory "Nonresident aliens" not engaged in the "trade or business"/public office franchise such as myself are not required to have or to use Taxpayer Identification Numbers or Social Security Numbers in connection with any financial arrangement or transaction pursuant to the following:

31 C.F.R. §306.10

*² Taxpayer identifying numbers are not required for foreign governments, nonresident aliens not engaged in **trade or business** within the United States, international organizations and foreign corporations not engaged in **trade or business** and not having an office or place of business or a financial or paying agent within the United States, and other persons or organizations as may be exempted from furnishing such numbers under regulations of the Internal Revenue Service.*

3. The terms "Social Security Number", "SSN", "Employer Identification Number", "EIN", "Taxpayer Identification Number", or "TIN" as used on any government forms and all correspondence means "Nontaxpayer Identification Number (NIN)", signifying that the Protected party is a "nontaxpayer" who does not meet the definition of "taxpayer" found in 26 U.S.C. §7701(a)(14), who is not subject to any provision within the Internal Revenue Code, who is a "nonresident alien" not engaged in a "trade or business", and who has no earnings from within the "United States" as described in 26 U.S.C. §871.
4. The term "Social Security Number" or "SSN" as used on the attached government forms ***IS NOT*** the number issued under the authority of 20 C.F.R. §422.104, which can only lawfully be issued to federal employees, agents, and benefit recipients, none of which describe the Protected Party. See and rebut the following if you disagree:

Resignation of Compelled Social Security Trustee, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

5. The term "Employer Identification Number" or "EIN" as used on all government forms ***IS NOT*** the number issued under the authority of 26 U.S.C. §6109 or any other Act of Congress. Instead, it means a "Nontaxpayer Identification Number" or "NIN" as defined above.
6. The term "Taxpayer Identification Number" or "TIN" as used on the All government forms and correspondence ***IS NOT*** the number issued under the authority of either 26 U.S.C. §6109 or any other Act of Congress. Instead it means a "Nontaxpayer Identification Number" or "NIN" as defined above.

7. All “Nontaxpayer Identification Numbers” or “NINs”, or any other synonym described in this section and included in any form or attachment included herein or submitted on any previous government form are the exclusive, licensed, copyrighted intellectual property of the Protected Party. They are protected by the Copyright Act codified in [Title 17 of the U.S. Code](#) and this license agreement. Any use by the government of this property for any commercial or government purpose, including tax collection, is STRICTLY PROHIBITED. Each unauthorized use is punishable by a penalty of \$100,000 per incident plus any tax or penalty assessment associated with the unauthorized use.
8. Providing any kind of identifying number on any government form shall NOT be evidence of consent to engage in a privileged “trade or business” franchise as described in [26 U.S.C. §7701\(a\)\(26\)](#). Instead, it shall be evidence of NON-consent to engage in said franchise and a formal request to criminally prosecute the company, financial institution, and/or government entity associated with the submission for criminal racketeering in violation of [18 U.S.C. §1956](#) and “extortion under the color of law” for compelling the use of said identifying number in violation of [42 U.S.C. §408](#).

WARNING!: You may not lawfully use any government issued identifying number in connection with the Protected Party, such as a Social Security Number (SSN) as defined in 20 C.F.R. §422.103(d), Taxpayer Identification Number (TIN) as defined in [26 U.S.C. §6109](#), or Employer Identification Number (EIN) as defined in [26 U.S.C. §6109](#). Protected Party:

1. Does not participate and is not lawfully eligible to participate in Social Security or the “trade or business” excise taxable franchise described in 26 U.S.C. Subtitle A.
2. Is not a statutory “U.S. person” ([26 U.S.C. §7701\(a\)\(30\)](#)) for which a “Taxpayer Identification Number” may lawfully be used pursuant to [26 U.S.C. §6109](#) and 26 C.F.R. §301.6109-1.
3. May not lawfully use or possess any government identifying number because it is “public property” which belongs to the government pursuant to 20 C.F.R. §422.103(d). Only “public officers” on official business may lawfully use public property, and only in strict accordance with law for the benefit of the government and not them as private individuals.
4. Is appearing here as a PRIVATE HUMAN BEING and not a PUBLIC OFFICER. If you compel me to use a government identifying number, you are an accessory to criminal conversion of private property to a public use and a public purpose if you connect me or my assets with a public number in violation of [18 U.S.C. §654](#). You could end up in jail for up to ten years if you put an identifying number on any records pertaining to me or my property, assets, or my earnings from PRIVATE employment.
5. Has been a victim of identity theft, compelled association, and conversion by the government and its agents in banks and financial institutions in the past by unlawfully and involuntarily connecting him/her with knowingly false and fraudulent identifying numbers in criminal violation of [18 U.S.C. §1028\(a\)\(7\)](#), [18 U.S.C. §1028A](#), and a civil violation of [42 U.S.C. §408\(a\)\(7\)](#) and [42 U.S.C. §405\(c\)\(2\)\(C\)\(i\)](#). He/she would like to prevent a recurrence of this behavior again.
6. Will file a criminal complaint in connection with the use of any government issued identifying number connected with his exclusively PRIVATE life, property, and liberty and vociferously prosecute all those who unlawfully compel him to use a knowingly false number or any number at all in order to obtain any service or product in violation of [42 U.S.C. §408](#).

If the number “000-00-0000” appears in the TIN or SSN block on the attached government form, then it means that Protected Party doesn’t have a validly issued STATUTORY SSN or TIN. Consequently, Protected Party is not “federal personnel” as indicated in [5 U.S.C. §552a\(a\)\(13\)](#).

If a number other than “000-00-0000” for the SSN/TIN was provided on the attached government form:

1. It was provided under unlawful duress because the agent accepting the form threatened to withhold issuance of the passport if Protected Party would not provide a number. It is a CRIME to compel the use of such numbers per [42 U.S.C. §408\(a\)\(8\)](#).
2. The number shall be treated AS IF it were “000-00-0000”, regardless of what it says.
3. The acceptance agent, by instituting duress in compelling the use of government numbers, is attempting to convert constitutional rights into statutory privileges and franchises, which is a CRIMINAL CONSPIRACY against my rights punishable under [18 U.S.C. §241](#). Anyone who does any of the following is party to said conspiracy:
 - 3.1. Anyone he or she talked to about how to circumvent my attempts to avoid enumeration is party to said conspiracy.
 - 3.2. Anyone who fails or omits deliberately to prosecute the crimes indicated herein.
4. The number provided is NOT the number described in [26 U.S.C. §6109](#), [20 C.F.R. §422.103\(d\)](#), or any other federal law, statute, or regulation. Hence, it is not subject to being either true, false, factual, or consistent with any record in possession of any government. The clerk said it was their “POLICY” (not LAW, but POLICY) to require a number and could show me no law. Well, if he or she can invent such policy, then Protected Party can INVENT a Nonstatutory number that conforms with the POLICY but also is equally not subject to or susceptible to the requirements of the law.

The constitution protects the equality of ALL PERSONS, and hence, Protected Party has the EQUAL right to make "POLICY" to counteract the DOS's policy to prevent injury to his/her own private rights.

5. The applicant, being under unlawful, criminal duress, does not vouch for the accuracy of said number. Instead, it is:
 - 5.1. NONFACTUAL political beliefs and opinions that are not admissible as evidence in any legal proceeding and not legally actionable in any manner.
 - 5.2. NOT the "Social Security Number" defined in [20 C.F.R. §422.103](#).
 - 5.3. NOT the "Taxpayer Identification Number" (TIN) described in [26 U.S.C. §6109](#).
6. The applicant does not "have" a number described in [26 U.S.C. §6109](#), [20 C.F.R. §422.103](#)(d) and cannot legally "have" such a number. One can only "have" something that they own and control. Protected Party doesn't control the number because if he/she did, he/she could tell the government they CANNOT use it, so it must not be mine. The notion of "property" implies the right to FORBID other people from using or benefitting from something so I must not "OWN" a government number. Both the Social Security Card and [20 C.F.R. §422.103](#)(d) say the card and the number belong to the GOVERNMENT and not the applicant, and therefore it is a legal and rational impossibility for me to "have" government property unless the Protected Party is a public officer managing government property and serving in an official capacity. In fact, Protected Party DOES NOT consent to represent a public office in the government and it is a crime to unilaterally elect or appoint myself into such an office. Furthermore, filling out an SS-5 form or W-9 form and asking for such a number cannot and does not CREATE any public office in the government and any attempt to use it for that purpose is a violation of [18 U.S.C. §912](#). It is acknowledged as a CRIME to use government property such as a statutory SSN or TIN for a private purpose or personal benefit. Hence, the number provided MUST be described herein as NOT corresponding with anything described in any federal law and NOT to be used for any enforcement or government purpose because not connected with any existing application the government has ever received.
7. The power to create is the power to define, and since Protected Party created the form being processed, then Protected Party is the only one who can define both the meaning or the intended meaning of every word or phrase on the form. I must do so in order to avoid being victimized by the self-serving and usually FALSE presumptions of others or conferring undue discretion to a government bureaucrat or judge to INVENT a meaning I didn't intend.

If a Social Security Number (SSN) or Taxpayer Identification Number (TIN) other than "000-00-0000" was provided on the application, the recipient of this form is requested to prosecute the acceptance agent for:

1. Compelled use of Social Security Numbers under [42 U.S.C. §408](#)(a)(8).
2. Identity theft under the following for the commercial abuse of my identity for personal gain without my consent:
 - 2.1. [42 U.S.C. §405](#)(c)(2)(C)(i)
 - 2.2. [42 U.S.C. §408](#)(a)(7)
 - 2.3. [18 U.S.C. §1028](#)(a)(7)
 - 2.4. [18 U.S.C. §1028A](#).
 - 2.5. Equivalent state statutes indicated in:
<https://sedm.org/litigation-main/sedm-jurisdiction-online/>

6 Significance of Perjury statements signed by Protected Party on All Government Forms

6.1 Specific information validated as true on all government forms signed with a perjury statement

Courts have repeatedly held that no one can trust anything a government employee says:

"It is unfortunately all too common for government manuals, handbooks, and in-house publications to contain statements that were not meant or are not wholly reliable. If they go counter to governing statutes and regulations of the highest or higher dignity, e.g. regulations published in the Federal Register, they do not bind the government, and persons relying on them do so at their peril." Caterpillar Tractor Co. v. United States, 589 F.2d. 1040, 1043, 218 Ct.Cl. 517 (1978) (A Handbook for Exporters, a Treasury publication). Dunphy v. United States [529 F.2d. 532, 208 Ct.Cl. 986 (1975)], supra (Navy publication entitled All Hands). In such cases it is necessary to examine any informal publication to see if it was really written to fasten legal consequences on the government. Dunphy, supra. See also Donovan v. United States, 139 U.S. App. D.C. 364, 433 F.2d. 522 (D.C.Cir.), cert. denied, 401 U.S. 944, 91 S.Ct. 955, 28 L.Ed. 2d 225 (1971). (Employees

Performance Improvement Handbook, an FAA publication)(merely advisory and directory publications do not have mandatory consequences). *Bartholomew v. United States*, 740 F.2d. 526, 532 n. 3 (7th Cir. 1984)(quoting *Fiorentino v. United States*, 607 F.2d. 963, 968, 221 Ct.Cl. 545 (1979), cert. denied, 444 U.S. 1083, 100 S.Ct. 1039, 62 L.Ed. 2d 768 (1980).

Lecroy's proposition that the statements in the handbook were binding is inapposite to the accepted law among the circuits that publications are not binding.^{*fn15} We find that the Commissioner did not abuse his discretion in promulgating the challenged regulations. First, *Farms and International* did not justifiably rely on the Handbook. *Taxpayers who rely on Treasury publications, which are mere guidelines, do so at their peril.* *Caterpillar Tractor Co. v. United States*, 589 F.2d. 1040, 1043, 218 Ct.Cl. 517 (1978). Further, the Treasury's position on the sixty-day rule was made public through proposed section 1.993-2(d)(2) in 1972, before the taxable years at issue. *Charbonnet v. United States*, 455 F.2d. 1195, 1199-1200 (5th Cir.1972). See also *Wendland v. Commissioner of Internal Revenue*, 739 F.2d. 580, 581 (11th Cir.1984). Second, *whatever harm has been suffered by Farms and International resulted from a lack of prudence.* As even the *Lecroy* 751 F.2d. at 127. See also 79 T.C. at 1069. "
[*CWT Farms Inc. v. Commissioner of Internal Revenue*, 755 F.2d. 790 (11th Cir. 03/19/1985)]

In addition, the court in *Boulez v. C.I.R.*, 258 U.S.App. D.C. 90, 810 F.2d. 209 (1987) ruled that IRS is not responsible for oral agreements or statements.

The Internal Revenue Service furthermore indicates on its website that it is NOT RESPONSIBLE for the accuracy of anything they publish:

"IRS Publications explain the law in plain language for taxpayers and their advisors. They typically highlight changes in the law, provide examples illustrating IRS positions, and include worksheets. Publications are nonbinding on the IRS and do not necessarily cover all positions for a given issue. While a good source of general information, publications should not be cited to sustain a position."
[Internal Revenue Manual (I.R.M.), Section 4.10.7.2.7; https://www.irs.gov/irm/part4/irm_04-010-007]

To put one last nail in the coffin of this issue, below is a quote from a book entitled *Tax Procedure and Tax Fraud*, Patricia Morgan, 1999, ISBN 0-314-06586-5, West Group:

p. 21: "As discussed in §2.3.3, the IRS is not bound by its statements or positions in unofficial pamphlets and publications."

p. 34: "6. IRS Pamphlets and Booklets. The IRS is not bound by statements or positions in its unofficial publications, such as handbooks and pamphlets."

p. 34: "7. Other Written and Oral Advice. Most taxpayers' requests for advice from the IRS are made orally. Unfortunately, the IRS is not bound by answers or positions stated by its employees orally, whether in person or by telephone. According to the procedural regulations, 'oral advice is advisory only and the Service is not bound to recognize it in the examination of the taxpayer's return.' 26 C.F.R. §601.201(k)(2). In rare cases, however, the IRS has been held to be equitably estopped to take a position different from that stated orally to, and justifiably relied on by, the taxpayer. The Omnibus Taxpayer Bill of Rights Act, enacted as part of the Technical and Miscellaneous Revenue Act of 1988, gives taxpayers some comfort, however. It amended section 6404 to require the Service to abate any penalty or addition to tax that is attributable to advice furnished in writing by any IRS agent or employee acting within the scope of his official capacity. Section 6404 as amended protects the taxpayer only if the following conditions are satisfied: the written advice from the IRS was issued in response to a written request from the taxpayer; reliance on the advice was reasonable; and the error in the advice did not result from inaccurate

1 or incomplete information having been furnished by the taxpayer. Thus, it will still be
2 difficult to bind the IRS even to written statements made by its employees. As was true
3 before, taxpayers may be penalized for following oral advice from the IRS."

4 If the IRS isn't held accountable in a court of law for what they say or even what they write, then they are, by implication,
5 totally unaccountable to the public that they were put into existence to "serve". The Internal Revenue SERVICE, therefore,
6 only SERVES the interests of itself and not the public at large. Furthermore, we believe the same rules should apply to
7 Americans submitting their tax returns as those that apply to the IRS: not liable or responsible for what is written on the
8 return. For instance, the "I declare under penalty of perjury" should be replaced with "I declare that this return as accurate
9 and trustworthy as the advice and writings of the IRS". That is equivalent to saying that it is untrue and NOT trustworthy,
10 and that will get you off the hook and also point out the hypocrisy and lawlessness of the IRS! What is good for the goose is
11 good for the gander. Any other approach would be to condone hypocrisy and lawlessness and tyranny on the part of our
12 government. Why aren't IRS agents required to sign their correspondence under penalty of perjury like all of the
13 communication coming from the "taxpayer" so they CAN be held accountable? Here is what the U.S. Supreme Court had to
14 say about this kind of hypocrisy and lawlessness. You be the judge!:

15 *"Our government is the potent, the omnipresent teacher. For good or ill, it teaches the*
16 *whole people by its example. Crime is contagious. If the government becomes a*
17 *lawbreaker [or a hypocrite with double standards], it breeds contempt for the law; it invites*
18 *every man to become a law unto himself; it invites anarchy. To declare that in the*
19 *administration of the criminal law the end justifies the means...would bring terrible*
20 *retribution. Against that pernicious doctrine this Court should resolutely set its face."*
21 *[Justice Brandeis, Olmstead v. United States, 277 U.S. 438, 485 (1928)]*

22 It may also interest you to learn that even though YOU don't have to give any credence to IRS Publications, the I.R.C. says
23 that IRS employees MUST follow published administrative guidance.

24 [TITLE 26 > Subtitle F > CHAPTER 80 > Subchapter A > § 7811](#)
25 [§ 7811. TAXPAYER ASSISTANCE ORDERS](#)

26 (a) Authority to issue

27 [. . .]

28 **(3) Standard where administrative guidance not followed**

29 *In cases where any Internal Revenue Service employee is not following applicable*
30 *published administrative guidance (including the Internal Revenue Manual), the National*
31 *Taxpayer Advocate shall construe the factors taken into account in determining whether*
32 *to issue a Taxpayer Assistance Order in the manner most favorable to the taxpayer.*

33 The IRS Restructuring and Reform Act of 1998, Section 1102, 112 Stat. 704 mimics the above by requiring the IRS to follow
34 published administrative guidance, including the Internal Revenue Manual (I.R.M.).

35 During legal discovery, government attorneys often object to questions asked with the phrase:

36 *"Objection: Calls for a legal conclusion."*

37 Government attorneys are usually protected by judges when they make this objection, and I claim the SAME right in
38 submitting any and all government forms to NOT make "legal conclusions", choice of law decisions, or impose obligations
39 upon myself by making such conclusions in submitting government forms. The requirement for equal protection and equal
40 treatment DEMANDS that I must have this SAME right as all government attorneys in any legal dispute or enforcement
41 proceeding arising from or employing evidence produced by me on government forms.

42 Consequently, the following limitations apply to all perjury statements contained on any government form signed by the
43 Protected Party and all information verified by such perjury statements:

44 1. None of the terms PREPRINTED on any attached GOVERNMENT SUPPLIED forms therefore:

- 1.1. Are to be construed or interpreted by the Protected Party, Government Actor, or RECIPIENT in a CIVIL STATUTORY context.
- 1.2. Are to be used to enforce any CIVIL STATUTORY or QUASI-CRIMINAL obligation upon the SUBMITTER. By “quasi-criminal”, we mean a PENAL provision that has a predicate civil statutory status, such as “person”, “citizen”, “resident”, “individual”, etc that owes an obligation to do something CIVIL in nature. An example is the definition of “person” found in 26 U.S.C. §6671(b) and 26 U.S.C. §7343. For an explanation of how the quasi-criminal SCAM works, see:
- [Withdrawal of Plea-Federal](https://sedm.org/product/withdrawal-of-plea-federal-litigation-tool-03-007/), Litigation Tool #03.007
<https://sedm.org/product/withdrawal-of-plea-federal-litigation-tool-03-007/>
- 1.3. Are to be used or construed as an act of “election”, political association, or consent in any form which might give rise to rights on the part of the Recipient. This includes, but is not limited to any of the following statutory civil statuses:
- 1.3.1. “Person”.
 - 1.3.2. “Individual”.
 - 1.3.3. “Taxpayer”.
 - 1.3.4. “Citizen”.
 - 1.3.5. “U.S. citizen”.
 - 1.3.6. “U.S. resident”.
2. The only legal context and choice of law in which the statements of the Protected Party may be interpreted is the common law, the Constitution (Bill of Rights), and the criminal law (not penal or quasi-criminal) of the place he or she was physically standing on at the time the form was filled out.
3. All RIGHTS RESERVED: U.C.C. §1-308; <https://www.law.cornell.edu/ucc/1/1-308>.
4. The perjury statement on any attached government form(s) verifies ONLY information ADDED to the form, and not information PREPRINTED on the form by the government. If the government isn’t accountable for preprinted information, then under the concept of equal protection and equal treatment, neither can I be, and it would be STUPID of me to surrender my equality in relation to any government in court, since it would in effect create an unconstitutional civil religion in violation of the First Amendment to do so.
5. This statement does not INVALIDATE or limit the perjury statement, but merely controls the SPECIFIC information that is verified under penalty of perjury on the PREPRINTED form and USE and legal CONTEXT of the information provided. As you probably know, CONTEXT of words is EVERYTHING in the legal field: CONSTITUTION v. STATUTORY.

More on the subject of this section at:

- 1. [Reasonable Belief About Income Tax Liability](https://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf), Form #05.007
<https://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>
- 2. [Legal Deception, Propaganda, and Fraud](https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf), Form #05.014
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>
- 3. [On Why you MUST define Franchise “words of art” on all government forms and how to do it](https://sedm.org/on-why-you-must-define-franchise-words-of-art-on-all-government-forms-and-how-to-do-it/), SEDM Blog
<https://sedm.org/on-why-you-must-define-franchise-words-of-art-on-all-government-forms-and-how-to-do-it/>

6.2 Materiality of any perjury statements in the context of criminal enforcement by Government Actor

In order for a perjury statement to be material and result in successful criminal enforcement against the party who signed it, there must be a provable physical injury, property damage, or property loss that results from reliance upon it which can form the basis for standing to sue.

MATERIAL EVIDENCE. *Such as is relevant and goes to the substantial matters in dispute, or has a legitimate and effective influence or bearing on the decision of the case. Porter v. Valentine, 18 Misc. 213, 41 N.Y.S. 507; Connecticut Fire Ins. Co. of Hartford, Conn. v. George, 52 Okl. 432, 153 P. 116, 119. "Materiality," with reference to evidence does not have the same signification as "relevancy." Pangburn v. State, Tex.Cr.App., 56 S.W. 72, 73.*

MATERIAL FACT. *(In contracts.) One which constitutes substantially the consideration of the contract, or without which it would not have been made. Lyons v. Stephens, 45 Ga. 143.*

(In pleading and practice.) One which is essential to the case, defense, application, etc., and without which it could not be supported. *Sandheger v. Hosey*, 26 W.Va. 223; *Davidson v. Hackett*, 49 Wis. 186, 5 N.W. 459; *Hansen v. Sandvik*, 128 Wash. 60. 222 P. 205. 207. One which tends to establish any of issues raised. *Sherwood Bros. v. Yellow Cab Co. of Philadelphia*, 283 Pa. 488, 129 A. 563. 564. The "material facts" of an issue of fact are such as are necessary to determine the issue. *Woolman Const. Co. v. Sampson*, 219 Mich. 125, 188 N.W. 420. 422.

(In insurance.) A fact which, if communicated to the agent or insurer, would induce him either to decline the - .. insurance altogether, or not accept it unless a higher premium is paid. *Berry v. Equitable Fire & Marine Ins. Co.*, Mo.ADD, 263 S.W. 884 886; *Franklin Life Ins. Co. v. Dossett*, Tex.Civ.App., 265 S.W. 259, 262. One which necessarily has some bearing on the subject-matter. *Wittels Loan & Mercantile Co. v. American Cent. Ins. Co.*, Mo. APP., 273 S.W. 1084, 1086. A fact which increases the risk, or which, if disclosed, would have been a fair reason for demanding a higher premium: any fact the knowledge or ignorance of which would naturally influence the insurer in making or refusing the contract, or in estimating the degree and character of the risk, or in fixing the rate. *Boaes v. Insurance Co.*, 30 Mo. 68; *Clark v. Insurance Co.*, 40 N.H. 338, 77 Am.Dec. 721; *Murphy v. Insurance Co.*, 205 Pa. 444, 55 A. 19; *Penn Mut. L. Ins. Co. v. Mechanics' Sav. Bank*, 19 C.C.A. 286, 72 F. 413, 38 L.R.A. 33.
[Black's Law Dictionary, Fourth Edition, p. 1128]

Parties hereby stipulate the following conditions in all their interactions which make both injury to the government and materiality of a false perjury statement by the Protected Party impossible in the context of all their legal interactions:

1. In all interactions between Protected Party and Government Actor and his /her employer, Protected Party shall be the ONLY "Merchant" (U.C.C. §2-104(1)) and the Government shall at all times be the "Buyer" (U.C.C. §2-103(1)(a)).
2. As an agent of his/her Creator 24 hours a day, seven days a week, Protected Party has NO DELEGATED AUTHORITY to consent to be anything BUT a Merchant in relation to any and all governments per their delegation of authority order as described below.²¹ Any attempt to violate that delegation of authority order shall constitute malicious interference with First Amendment protections and criminal damage to religious property:

²¹ Below are the commandments preventing God's followers from being anything other than a Merchant and NEVER a Buyer in relation to any and every government. The term "nations" means GOVERNMENTS, not individual people:

"For the Lord your God will bless you just as He promised you; **you shall lend to many nations, but you shall not borrow**; you shall reign over many nations, but they shall not reign over you." [Deut. 15:6, Bible, NKJV]

"The Lord will open to you His good treasure, the heavens, to give the rain to your land in its season, and to bless all the work of your hand. **You shall lend to many nations, but you shall not borrow.**" [Deut. 28:12, Bible, NKJV]

"**You shall not charge interest to your brother**--interest on money or food or anything that is lent out at interest." [Deut. 23:19, Bible, NKJV]

"To a foreigner you may charge interest, but to your brother you shall not charge interest, that the Lord your God may bless you in all to which you set your hand in the land which you are entering to possess." [Deut. 23:20, Bible, NKJV]

God even warned His followers in the Bible what would happen if they DIDN'T follow the above commandments:

Curses of Disobedience [to God's Laws]

"The alien [[Washington, D.C. is legislatively "alien" in relation to states of the Union](#)] who is among you shall rise higher and higher above you, and you shall come down lower and lower [[malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES](#)]. He shall lend to you [[Federal Reserve counterfeiting franchise](#)], but you shall not lend to him; he shall be the head, and you shall be the tail.

"Moreover **all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the LORD your God, to keep His commandments and His statutes which He commanded you**. And they shall be upon you for a sign and a wonder, and on your descendants forever.

"Because you did not serve [ONLY] the LORD your God with joy and gladness of heart, for the abundance of everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the LORD will send against you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [[franchise codes](#)] on your neck until He has destroyed you. The LORD will bring a nation against you from afar [the District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation [whose language \[LEGALESE\] you will not understand](#), a nation of fierce [coercive and fascist] countenance, which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public FOOL system]. And they shall eat the increase of your livestock and the produce of your land [[with "trade or business" franchise taxes](#)], until you [and all your property] are destroyed [[or](#)

3. No civil statutes which might impose any kind of duty or transfer of property from Protected Party to Government may be cited as authority for any type of enforcement or legal action initiated against Protected Party by Government.
4. Any legal actions by the Protected Party against Government Actor or his/her employer for recovery of sums owed under this agreement shall be filed as a qui tam action on behalf of the God he or she represents, and not in their own private person.
5. All government forms shall not be relied upon as evidence of a legal obligation owed to any government because the government itself says you can't trust and should not rely on any and all government forms, statements, and publications. This is true EVEN after the forms are signed under penalty of perjury by Protected Party. Hence, they are of no evidentiary value in any proceeding beyond that assigned to them here, even if signed under penalty of perjury. See:

6. Any and all government forms, regardless of what they say, shall therefore be interpreted ONLY as a request by Protected Party for the immediate return all monies paid to the Government Actor and his/her employer by Protected Party plus compound interest in the amount of twice the inflation rate compounded annually. These monies are a repayment of a temporary loan at interest of property and services by the Protected Party to the Government. They are not a loan of property
7. Government Actor and his/her employer may NOT pay back more than the amount in item 6 above and if they do, that amount becomes a GIFT with no conditions or legal strings or "quid pro quo" attached.
8. The net result is that it is impossible to interpret any monies or services received by the Protected Party from the Government Actor his/her employer as anything more than repayment of a temporary loan from the Protected Party to the Government.
9. Parties stipulate that because these monies are repayment of a loan, they can never form standing by Government Actor or his/her employer for fraud, theft, or injury against any government.

7 Parties

The two parties to this agreement include:

1. The private party, hereinafter called the Protected Party, who sent the Government Actor this franchise and agreement or referenced it in their correspondence with Government Actors. This person is the ONLY Merchant under U.C.C. §2-104(1) in the context of any and every interaction with any or every government.
2. The government officer or agency, hereinafter called the Government Actor. This legal person is the Buyer under U.C.C. §2-103(1)(a) in relation to the Protected Party. This party fits one or more of the following criteria:
 - 2.1. Initiated communication with the Protected Party requiring a response or ..
 - 2.2. Made any demands upon the time or property of the Protected Party. or..
 - 2.3. Made the Protected Party the target of enforcement for any government franchise, including but not limited to Income taxes under Internal Revenue Code, Subtitles A through C, Social Security, Vehicle Code, Family Code, or any other government franchise or debt. . . .or
 - 2.4. Is acting as a withholding agent pursuant to 26 U.S.C. §7701(a)(16) or filing any kind of information return against the Protected Party. Information returns include those submitted under the authority of 26 U.S.C. §6041.

8 Consideration

1. Consideration provided by Protected Party to Government Actor:
 - 1.1. Responses to unwelcome correspondence sent by Government Actor.
 - 1.2. The use of any information from, to, or about the Protected Party, and especially involving anything having a commercial consequence.
 - 1.3. Services of Protected Party to effect actions required to enforce this agreement.
 - 1.4. Receiving temporary use, custody, and control of any and all monies withheld by anyone from my earnings and paid ultimately to the government. I am a man or woman or entity that is: 1. A nonresident not engaged in the "trade or business" franchise; 2. With no statutory "income" from the statutory "United States"; 3. Who never

STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until they have destroyed you. [Deut. 28:43-51, Bible, NKJV]

consented to withholding; 4. And against whom all information return reporting is FALSE. As such, any withholdings or reportings are under protest, under duress, are the product of constructive FRAUD and CRIMINAL misconduct on the part of the government, and are unlawfully withheld and paid. FRAUD has occurred because this franchise makes all statements of the recipient and/or government factual and material relating to tax reporting and withholding, and omissions and misfeasance by the government cause conduct that is inconsistent with and a violation of the written law. These monies may therefore not lawfully be retained either by you or the government without you being guilty of criminal money laundering and being an accessory after the fact to the crimes documented herein. I don't have to become a privileged franchisee called a "taxpayer" or pursue a statutory "refund" in order to get these monies back, because they are laundered monies resulting from CRIMINAL RACKETEERING, EXTORTION, and FRAUD that are due back WITHOUT even requesting them back.

*"A claim against the United States is a right to demand money from the United States. ²² Such claims are sometimes spoken of as gratuitous in that they cannot be enforced by suit without statutory consent. ²³ **The general rule of non-liability of the United States does not mean that a citizen cannot be protected against the wrongful governmental acts that affect the citizen or his or her property.** ²⁴ **If, for example, money or property of an innocent person goes into the federal treasury by fraud to which a government agent was a party, the United States cannot [lawfully] hold the money or property against the claim of the injured party.** ²⁵"*

[American Jurisprudence 2d, United States, §45 (1999)]

"When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit.

90 Ct.Cl. at 613, 31 F.Supp. at 769."

[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981)]

*California Civil Code
Section 2224*

"One who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it."

"The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer's rights. What was said in the State Bank Case applies with equal force to this situation. 'An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial."

²² United States ex rel. Angarica v. Bayard, 127 U.S. 251, 32 L.Ed. 159, 8 S.Ct. 1156, 4 A.F.T.R. 4628 (holding that a claim against the Secretary of State for money awarded under a treaty is a claim against the United States); Hobbs v. McLean, 117 U.S. 567, 29 L.Ed. 940, 6 S.Ct. 870; Manning v. Leighton, 65 Vt. 84, 26 A. 258, motion dismd 66 Vt. 56, 28 A 630 and (disapproved on other grounds by Button's Estate v. Anderson, 112 Vt. 531, 28 A.2d. 404, 143 A.L.R. 195).

²³ Blagge v. Balch, 162 U.S. 439, 40 L.Ed. 1032, 16 S.Ct. 853.

²⁴ Wilson v. Shaw, 204 U.S. 24, 51 L.Ed. 351, 27 S.Ct. 233.

²⁵ Bull v. United States, 295 U.S. 247, 79 L.Ed. 1421, 55 S.Ct. 695, 35-1 U.S.T.C. ¶ 9346, 15 A.F.T.R. 1069; United States v. State Bank, 96 U.S. 30, 96 Otto. 30, 24 L.Ed. 647.

2 2. Consideration provided by Government Actor:

3 2.1. Obedience to this franchise contract.

4 2.2. Implementation of the goals of their oath as a public officer to support and defend the Constitution against
5 domestic enemies, which their employer constitutes by either:

6 2.2.1. Offering or enforcing franchises outside of federal territory or within the borders of a state of the Union.

7 2.2.2. Instituting any of the behaviors associated with the definition of “de facto government” found earlier in
8 section 4.1.4, the definitions section.

9 **9 Authority and even OBLIGATION for Establishment of this Agreement**

10 The origin of ALL of the national government’s authority to enact civil legislation regulating or controlling otherwise
11 PRIVATE property is if the property is either absolutely owned by them or ownership is shared with them. This is made
12 clear by the language of Article 4, Section 3, Clause 2:

13 *United States Constitution*

14 *Article 4, Section 3*

15 **The Congress shall have Power to dispose of and make all needful Rules and Regulations**
16 **respecting the Territory or other Property belonging to the United States; and nothing**
17 **in this Constitution shall be so construed as to Prejudice any Claims of the United States,**
18 **or of any particular State.**

19 The above process goes BOTH ways. PRIVATE people can make rules for the government if it is in temporary possession
20 of THEIR property, and ESPECIALLY if that possession was never expressly consented to. The government of the United
21 States is a government of delegated powers ALONE.

22 *"The Government of the United States is one of delegated powers alone. Its authority is*
23 *defined and limited by the Constitution. All powers not granted to it by that instrument are*
24 *reserved to the States or the people."*

25 *[United States v. Cruikshank, 92 U.S. 542 (1875)]*

26 The people AS INDIVIDUALS cannot delegate to a collective called “government” any power that they personally do not
27 also individually possess:

28 *“Derativa potestas non potest esse major primitive. Wing. Max. 36; Pinch. Law, b.1. c.3,*
29 *p.11.*

30 *The power [sovereign immunity in this case] which is derived cannot be greater than that*
31 *from which it is derived.”*

32 *[Bouvier’s Law Dictionary Unabridged, 8th Edition, pg. 2131]*

33 *“Nemo potest facere per obliquum quod non potest facere per directum.1 Eden 512.*

34 *No one can do that indirectly which cannot be done directly.”*

35 *[Bouvier’s Law Dictionary Unabridged, 8th Edition, pg. 2147]*

36 *“Quod per me non possum, nec per alium..4 Co. 24 b: 11 id. 87a.*

37 *What I cannot do in person, I cannot do through the agency of another.”*

38 *[Bouvier’s Law Dictionary Unabridged, 8th Edition, pg. 2159]*

39 The power to make rules for property that the government has an absolute or qualified interest in is such a delegated power,
40 for instance. As such, if they can use THEIR power to make rules to control YOUR property, then YOU can do the same
41 thing to them under the concept of equal protection and equal treatment.

To impute this power ONLY to government and deprive the people as natural humans of it is to, in effect, enforce “superior or supernatural” powers to the government, meaning to make them ABOVE you as the “natural”, to implement religious idolatry, and to establish the “state” as a civil religion as described below:

Socialism: The New American Civil Religion, Form #05.016

<https://sedm.org/Forms/FormIndex.htm>

The purpose of establishing government is to protect PRIVATE property. The FIRST step in that protection is to prevent it from being converted to PUBLIC property or PUBLIC rights without the EXPRESS WRITTEN CONSENT of the original absolute human owner, as described in:

Separation Between Public and Private Course, Form #12.025

<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

Since a covetous mafia of thieves/plunderers masquerading as “government” or “de facto government”²⁶ REFUSES to do the ONLY job it was created to do of protecting PRIVATE property and keeping it separate from PUBLIC property, then I have a CONSTITUTIONAL and BIBLICAL obligation to ensure they do it by enacting this agreement as a precondition to the use or “benefit” of my PRIVATE property. Below is WHY I must do this and even HOW to do this, DIRECT from the actual literal physical AUTHOR of the Constitution from whose notes the Constitution was assembled:

“With respect to the words general welfare, I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creator.”

“If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county and parish and pay them out of their public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision of the poor; they may undertake the regulation of all roads other than post-roads; in short, every thing, from the highest object of state legislation down to the most minute object of police, would be thrown under the power of Congress.... Were the power of Congress to be established in the latitude contended for, it would subvert the very foundations, and transmute the very nature of the limited Government established by the people of America.”

“If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions.”

[James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties; More quotes like this later in Form #05.016, Section 5.1]

Below is the mechanism for doing that explained by a famous law professor:

*“How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the*

²⁶ See: *De Facto Government Scam*, Form #05.043; <https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>.

donee (and upon all persons to whom the property shall afterwards come without value or with notice) a personal obligation with respect to the property; and accordingly this is what equity does. It is in this way that all trusts are created, and all equitable charges made (i. e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.
[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

The only requirement that Protected Party therefore has to meet in order to lawfully impose a duty upon Government Actor is that he/she/it:

1. Conveys rights or property to a Government Actor.
2. Gives Government Actor formal, timely, and reasonable notice of the terms and conditions under which Government Actor receives the property or rights constituting the consideration specified in this agreement.

This agreement shall therefore and henceforth serve as “reasonable notice” of the terms of receipt of said PRIVATE property in the temporary custody of Government Actor and/or his agents or assigns. Notice to the agent shall also serve as notice to the principal. This means that:

1. If you are working for a government in corresponding or interacting with me, you also implicitly agree to notify all others who might interact with me in that same government that they are similarly bound by the terms of this franchise and agreement.
2. In the event that you do not, you also agree to act as personal surety and an officer for any and all other human beings who also communicate or interact with me beyond the point that you have initiated this contact or interaction.

The above tactic is the same tactic the government uses against private people, whereby they use the tax system franchise to make innocent and unaware person into surety for endless and irresponsible deficit spending and public debt by career politicians. Hence, I am entitled to equal protection and equal treatment.

This franchise agreement operates the same as the federal government’s franchises: and Protected Party is entitled to equal protection and equal treatment:

1. Income tax “trade or business” franchise:
 - 1.1. The agreement operates as a “quasi-contract”, like the income tax itself. See *Milwaukee v. White*, [296 U.S. 268](#) (1935).
 - 1.2. Consent to the franchise agreement codified in Internal Revenue Code, Subtitle A is based upon unsigned, hearsay third party evidence called an “information return” (W-2, 1042-S, 1098, and 1099) that is usually false because the subject is not engaged in the “public office” franchise and receives no “benefits” thereby. In the case of my/this franchise, such third party hearsay reports consist of any and all administrative correspondence sent by you to me as well as legal pleadings filed in this case containing licensed information about me or relating to commercial/tax transactions, such as my name, address, facts about my conduct, or information illegally seized from a place outside of federal territory.
 - 1.3. Using government property called a “Social Security Number” or “Taxpayer Identification Number” in association with someone, which 20 C.F.R. §422.103(d) identifies as property of the Social Security Administration and NOT the user, constitutes constructive consent by the person so associated to the terms of the franchise agreement. In that sense, associating the subject with specific information owned by another in the form of an identifying number acts as a prima facie license number to engage in the franchise. In the case of MY franchise, information about me is MY PRIVATE PROPERTY and use of this licensed information makes those using or abusing it into my private officers and agents. In law, all rights are “property”, and the Fourth Amendment protects my right to privacy and thereby makes all information about me into “property” which I have a right to exclusive use and control over as “property”.

1.4. The government's "trade or business" franchise confers a "benefit", which is a reduced or graduated rate of tax under [I.R.C. §1](#), earned income credit under [I.R.C. §32](#), and "trade or business" deductions under [I.R.C. §162](#). Likewise, my/this franchise confers a similar "benefit", which is the right to invade my privacy, engage in commercial relationships with me, and impose involuntary uncompensated duties upon me by abusing a legal system against me that otherwise has no jurisdiction over me as a human being and not a legal "person" not domiciled or resident on federal territory.

1.5. The franchise is based on an "activity", which is that of a "public office" in the U.S. government ([I.R.C. §7701\(a\)\(26\)](#)). The result is agency on behalf of the government by the de facto licensee. Likewise, my franchise agreement also creates agency and fiduciary duty on your part towards me as a private party, which I describe as a "private office" representing my wishes as documented herein.

2. Social Security Franchise:

2.1. The SSA Form SS-5 is an application for a "card" and associated number, not for "benefits".

2.2. The SS card is identified in 20 C.F.R. §422.103(d) as property of the government and not the holder, even AFTER it is received. The back of the card also affirms this relationship and says it must be returned upon request.

2.3. The back of the card and the regulations governing its use say that use of the card constitutes effective consent to the statutes regulating the use of the property, including penalties.

If in defense Government Actor claims any of the following:

1. That Protected Party may not acquire rights by the same method as the government, as in Social Security or the "trade or business" franchise...OR
2. That Government Actor has no delegated authority to waive sovereign immunity or to consent by anything other than by an act of legislation.

. . .then Protected Party invokes and claims the SAME EQUAL right and therefore cannot be and is not subject to any government franchise, nor can he or she become the lawful subject of any enforcement action under said franchise. Furthermore, any and all funds contributed to any such franchise also shall constitute a LOAN and not a GIFT of any kind. All such loans of property also constitute consideration under the terms of this anti-franchise franchise.

Further, Christians such as myself are forcefully commanded by [God's Holy Law](#) ([Deut. 15:6](#), [Exodus 23:32-33](#), [Judges 2-1-4](#), [Deut. 28:43-51](#)) to act ONLY as "Merchants" ([U.C.C. §2-104\(1\)](#)) under the [Uniform Commercial Code \(U.C.C.\)](#) and NEVER as "Buyers" ([U.C.C. §2-103\(1\)](#)) in the context of all "[commerce](#)" or "intercourse" with any and every government. Any other approach makes us a harlot in God's eyes ([Isaiah 1:1-26](#)). Black's Law Dictionary defines "[commerce](#)" as "intercourse". The Bible defines "the Beast" as the "kings of the earth"/political rulers in [Rev. 19:19](#):

"Commerce. ...Intercourse by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on..."
[Black's Law Dictionary, Sixth Edition, p. 269]

"Come, I will show you the judgment of the great harlot [the atheist totalitarian democracy] who sits on many waters [which are described as seas and multitudes of people in [Rev. 17:15](#)], with whom the kings of the earth [political rulers of today] committed fornication [intercourse], and the inhabitants of the earth were made drunk with the wine of her fornication [intercourse, usurious and harmful commerce]."

So he carried me away in the Spirit into the wilderness. And I saw a woman sitting on a scarlet beast which was full of names of blasphemy, having seven heads and ten horns. The woman was arrayed in purple and scarlet, and adorned with gold and precious stones and pearls, having in her hand a golden cup full of abominations and the filthiness of her fornication [intercourse]. And on her forehead a name was written: MYSTERY, BABYLON THE GREAT, THE MOTHER OF HARLOTS AND OF THE ABOMINATIONS OF THE EARTH.

1 I saw the woman, drunk with the blood of the saints and with the blood of the martyrs of
2 Jesus. And when I saw her, I marveled with great amazement."
3 [[Rev. 17:1-6](#), Bible, NKJV]

4
5 "And I saw the beast, the kings [heathen political rulers and the unbelieving democratic
6 majorities who control them] of the earth [controlled by Satan], and their armies, gathered
7 together to make war against Him [God] who sat on the horse and against His army."
8 [[Revelation 19:19](#), Bible, NKJV]

9 For an article on what happens to nations and people who do NOT follow this requirement of God's Law, see:

[How Scoundrels Corrupted Our Republican Form of Government](https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm), Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

10 This admonition by God is consistent with the [Foreign Sovereign Immunities Act](#) found in [28 U.S.C. §1605](#)(a)(2), which
11 says that those who conduct "[commerce](#)" with the "[United States](#)" federal corporation within its legislative jurisdiction thereby
12 surrender their sovereignty.

13 **10 Evidence of Consent to this Offer/Agreement**

14 The following subsections deal with conditions in which the Protected Party is a target of criminal activity by specific
15 public servants and the result of the activity is the ILLEGAL CONVERSION of PRIVATE property to public use or
16 control by civil statutes or a government officer against the consent of the owner. For the purposes of this discussion, the
17 term "private" is that defined earlier in section 4.1.3 and the term "private property" is that protected by the following
18 mandatory presumption:

19 "All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the
20 control of government or the CIVIL statutory franchise codes unless and until the
21 government meets the burden of proving, WITH EVIDENCE, on the record of the
22 proceeding that:

23 1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property
24 to PUBLIC property.

25 2. The owner was either abroad, domiciled on, or at least PRESENT on federal territory
26 NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a
27 Constitutional right or relieve a public servant of the fiduciary obligation to respect and
28 protect the right. Those physically present but not necessarily domiciled in a constitutional
29 but not statutory state protected by the constitution cannot lawfully alienate rights to a
30 real, de jure government, even WITH their consent.

31 3. If the government refuses to meet the above burden of proof, it shall be
32 CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an
33 EQUAL footing with every other private corporation and which is therefore NOT protected
34 by official, judicial, or sovereign immunity."

35 As a consequence of the illegal use or control over PRIVATE property, Government Actors or the government itself is subject
36 to control or regulation of the rightful owner under the terms of this agreement, which is a LOAN agreement.

37 "How, then, are purely equitable obligations created? For the most part, either by the acts
38 of third persons or by equity alone. **But how can one person impose an obligation upon**
39 **another? By giving property to the latter on the terms of his assuming an obligation in**
40 **respect to it. At law there are only two means by which the object of the donor could be**
41 **at all accomplished, consistently with the entire ownership of the property passing to the**
42 **donee, namely: first, by imposing a real obligation upon the property; secondly, by**

subjecting the title of the donee to a condition subsequent. The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) a personal obligation with respect to the property; and accordingly this is what equity does. It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

"Cujus est commodum ejus debet esse incommodum.

He who receives the benefit should also bear the disadvantage."

"Que sentit commodum, sentire debet et onus.

He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."

[Bouvier's Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

"The rich rules over the poor,

And the borrower is servant to the lender."

[Prov. 22:7, Bible, NKJV]

"When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit.

90 Ct.Cl. at 613, 31 F.Supp. at 769."

[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981)]

"The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer's rights. What was said in the State Bank Case applies with equal force to this situation. 'An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial.'"

[Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421]

All government franchises are based upon loans of government property with conditions as described in:

Government Instituted Slavery Using Franchises, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

Since the United States government is one of delegated powers ALONE, according to the U.S. Supreme Court, then the PRIVATE humans delegating this NATURAL power such as the Protected Party must also have the SAME power to create franchises and use them against the government as a defense against illegal enforcement of government franchises against them. Such franchises include the Internal Revenue Code Subtitle A "public officer"/"trade or business" franchise, Social Security, and every other government benefit.

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE is hereby stipulated under this agreement as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an [economic terrorist and de facto government in violation of Article 4, Section 4](#).

*"No servant [or government or biological person] can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. **You cannot serve God and mammon [government].**"*
[[Luke 16:13](#), Bible, NKJV]

For a detailed exposition of the rules of lawfully converting property from PRIVATE to PUBLIC, see and rebut:

[Separation Between Public and Private Course](#), Form #12.025
<https://sedm.org/Forms/FormIndex.htm>

10.1 Generally

Pursuant to U.C.C. §1-303, Course of Usage and Trade, evidence of unconditional consent to this agreement shall include any one or more of the following actions in a general sense:

1. Signing this agreement.
2. Making any demands upon the valuable time, resources, or property of the Protected Party.
3. Claiming a right or interest to any of the property of the Protected Party.
4. Adversely affecting constitutionally protected rights of the Protected Party.
5. Treating Protected Party as a "citizen", "resident", or domiciliary under any federal law and thus moving his identity to the District of Columbia under any franchise agreement, such as that codified at [26 U.S.C. §7408\(d\)](#) and [26 U.S.C. §7701\(a\)\(39\)](#).
6. Engaging in or attempting to engage in any kind of commercial relationship with Protected Party or using his/her/its name in connection with a commercial obligation, which thereby causes an implied surrender of sovereign, official, and judicial immunity of the Government Actor in relation to the Protected Party pursuant to [28 U.S.C. §1605](#). This includes instituting penalties, sending bills, or making any kind of financial demands upon the Protected Party.

*CALIFORNIA CIVIL CODE
DIVISION 3. OBLIGATIONS
PART 2. CONTRACTS
CHAPTER 3. CONSENT
[Section 1589](#)*

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

7. Associating the Protected Party with a statutory status under any government franchise, including but not limited to:
 - 7.1. "driver" under the vehicle code of any state of the Union.
 - 7.2. "spouse" under the family code of any state of the Union.
 - 7.3. "taxpayer", "person", or "individual" under the revenue code of any state of the Union.
 - 7.4. "taxpayer", "person", "individual", "citizen", or "resident" under the Internal Revenue Code, Title 26 of the United States Code.
 - 7.5. "citizen of the United States" under 8 U.S.C. §1401, 26 U.S.C. §3121(e), or 26 C.F.R. §1.1-1(c).
 - 7.6. "person" or "individual" under the Social Security Act, 42 U.S.C. Chapter 7.
 - 7.7. "person" or "individual" under any government healthcare or tax law.
8. Claiming that any aspect of the interactions between Protected Party and Government Actor is a "benefit" as legally defined or characterizing any aspect of the relationship between parties as falling within the ambit of 5 U.S.C. §553(a)(2), which permits direct legislative regulation of the Protected Party. The definition of "benefit" is limited to that provided herein. It does not include any attempt by Government Actor or his employer to define or REDEFINE such a term. See:

[The Government "Benefits" Scam](#), Form #05.040
<https://sedm.org/Forms/FormIndex.htm>

1 All the above activities are hereby stipulated by all parties concerned to be an act of CRIMINAL identity theft as documented
2 in:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

3 This document shall serve as the equivalent of a “license” to engage in such activities against the Protected Party. A “license”,
4 after all, is legally defined as permission to engage in that which would otherwise be harmful or illegal.

5 **10.2 Attorneys**

6 The following activities by attorneys litigating against the Protected Party constitute consent to this franchise and
7 agreement:

- 8 1. Acting as a fact witness in any dispute in court. Attorneys are NOT authorized to act as fact witnesses.
- 9 2. Expunging or removing or striking pleadings filed by the Protected Party from the record of any legal proceeding, and
10 especially at the request or under the direction of any government officer such as the judge or opposing counsel. This
11 is criminal obstruction of legal justice.
- 12 3. Citing irrelevant caselaw against the Protected Party as a point and authority. By “irrelevant” we mean case law
13 involving a party who was not “similarly situated” in terms of legal status to that of the Protected Party. For instance,
14 citing rulings involving “taxpayers” against the Protected Party, who is a NONTAXPAYER not subject to the Internal
15 Revenue Code. The result is CRIMINAL identity theft as described in:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

16 **10.3 Judges**

17 Any of the following activities by judges are beyond their delegated authority and shall therefore constitute consent to this
18 agreement:

- 19 1. Ignoring or refusing to address any issue raised by the Protected Party that would result in a judgment against the
20 government in litigation involving the government. This is criminal obstruction of legal justice by omission. Any and
21 all factual statements made by the Protected Party verified under penalty of perjury and not expressly denied by either
22 the judge or the opposing party WITH admissible evidence are stipulated by all parties concerned to be:
 - 23 1.1. Truthful under Federal Rule of Civil Procedure 8(b)(6).
 - 24 1.2. Admitting into evidence for examination by the jury in any litigation involving the Protected Party.
- 25 2. Holding the Protected Party legally accountable for the consequences of a false statement submitted to the government
26 under the influence of duress indicated in this agreement.

27 *“An agreement [consensual contract] obtained by duress, coercion, or intimidation is*
28 *invalid, since the party coerced is not exercising his free will, and the test is not so much*
29 *the means by which the party is compelled to execute the agreement as the state of mind*
30 *induced.* ²⁷ *Duress, like fraud, rarely becomes material, except where a contract or*
31 *conveyance has been made which the maker wishes to avoid. As a general rule, duress*
32 *renders the contract or conveyance voidable, not void, at the option of the person coerced,*
33 *²⁸ and it is susceptible of ratification. Like other voidable contracts, it is valid until it is*
34 *avoided by the person entitled to avoid it.* ²⁹ *However, duress in the form of physical*

²⁷ Brown v. Pierce, 74 U.S. 205, 7 Wall 205, 19 L.Ed. 134

²⁸ Barnette v. Wells Fargo Nevada Nat’l Bank, 270 U.S. 438, 70 L.Ed. 669, 46 S.Ct. 326 (holding that acts induced by duress which operate solely on the mind, and fall short of actual physical compulsion, are not void at law, but are voidable only, at the election of him whose acts were induced by it); Faske v. Gershan, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962); Carroll v. Fetty, 121 W.Va. 215, 2 S.E.2d. 521, cert den 308 U.S. 571, 84 L.Ed. 479, 60 S.Ct. 85.

²⁹ Faske v. Gershan, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Heider v. Unicume, 142 Or. 416, 20 P.2d. 384; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962)

1 *compulsion, in which a party is caused to appear to assent when he has no intention of*
2 *doing so, is generally deemed to render the resulting purported contract void.* ³⁰
3 *[American Jurisprudence 2d, Duress, §21 (1999)]*

- 4 3. Identifying a return of PRIVATE property rightfully owned by the Protected Party as a “benefit”. Justice cannot be a
5 franchise or it is an INJUSTICE as legal “justice” is defined in section 2 of this document.
- 6 4. Attempting to judge the law in cases where the judge has a financial conflict of interest as described in 28 U.S.C.
7 §§144 or 455 or 18 U.S.C. §208 and refuses to recuse him or herself. This includes judges ruling on tax matters as
8 statutory “taxpayers”, whereby they can have their salary effectively reduced by those before them who refuse to pay
9 their “fair share”, even though being a NONTAXPAYER is perfectly lawful. In such a case, the Founding Fathers held
10 that the only proper approach is to allow an IMPARTIAL jury NOT receiving government “benefits” to rule on both
11 the law AND the facts and to ensure that they are not told that they will have to pay the taxes that the defendant or
12 plaintiff refuses to pay:

13 **"It is left... to the juries, if they think the permanent judges are under any bias whatever**
14 **in any cause, to take on themselves to judge the law as well as the fact. They never**
15 **exercise this power but when they suspect partiality in the judges; and by the exercise of**
16 **this power they have been the firmest bulwarks of English liberty."**
17 *[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]*

- 18 5. Refusing to identify whether the SPECIFIC capacity in which the Protected Party is acting is a public office or
19 government agency when he or she is the target of civil statutory enforcement by the government. Only those who are
20 agents and officers of the government may lawfully become the target of such enforcement. The government has the
21 burden of proving with evidence that the Protected Party was lawfully elected or appointed to government office and is
22 acting as an agent of government before it may lawfully enforce civil statutes against him/her. Failure to do so
23 constitutes aiding or abetting criminal identity theft. For proof, see:
24 5.1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
25 <https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>
26 5.2. Proof That There Is a “Straw Man”, Form #05.042
27 <https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
28 5.3. Why Your Government is Either a Thief or You are a “Public Officer” for Income Tax Purposes, Form #05.008
29 <https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>
30 5.4. Government Identity Theft, Form #05.046
31 <https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>
32 6. Interfering with, sanctioning, convicting, or penalizing Protected Party for any activity that the government can and
33 does lawfully do to him or her or it. This includes but is not limited to administrative liens and levies under his/her
34 own franchise agreement such as this one, just like the IRS does under the “trade or business”/public officer franchise.
35 All such activities are a violation of the constitutional requirement for equal protection and equal treatment as
36 described in:
37

Requirement for Equal Protection and Equal Treatment, Form #05.033
38 <https://sedm.org/Forms/FormIndex.htm>

39 7. Proceeding with a summary judgment where the party litigating against the government has ANY dispute with the
40 government counsel over the facts.
41 8. In cases against the government, telling the party opposing the government or the jury that they may NOT talk about or
42 quote the law to the jury.
43 9. Sealing the court record or making it unpublished in cases against the government, and especially where the party
44 opposing the government won the case. This prejudices further litigation against the government on the same subject
45 matter.
46 10. Refusing to recognize or discuss violations of private property rights by the government in cases against the
47 government involving illegal enforcement or taking of property of any kind. See:
48

Separation Between Public and Private Course, Form #12.025
 <https://sedm.org/Forms/FormIndex.htm>

11. Excluding evidence of parties litigating against the government who are the target of government enforcement. All
such parties are public officers according to the State Action Doctrine and therefore, their evidence CANNOT lawfully
be excluded under Federal Rule of Evidence 803(8).

³⁰ Restatement 2d, Contracts §174, stating that if conduct that appears to be a manifestation of assent by a party who does not intend to engage in that conduct is physically compelled by duress, the conduct is not effective as a manifestation of assent.

12. Acting as a fact witness by, for instance, representing anything BUT written positive law as “law” to a jury.
13. Legal deception, including:
- 13.1. Equivocation of geographical terms.
 - 13.2. Refusing to allow jurors to hear the definition of terms.
 - 13.3. Interfering with the admission of evidence of the definition of a statutory term by parties litigating against the government.
 - 13.4. Expanding the statutory definition of terms beyond what is clearly stated.
 - 13.5. Making presumptions about the definitions of terms.
 - 13.6. Using the ORDINARY definition of the term instead of the STATUTORY definition of terms in cases against the government.
 - 13.7. Violating the rules of statutory construction.
- For details on the above, see:

Legal Deception, Propaganda, and Fraud, Form #05.014
<https://sedm.org/Forms/FormIndex.htm>

14. Interfering with jurors reading or hearing the statutory law being enforced EXACTLY AS WRITTEN by, for instance:
- 14.1. Preventing them from visiting the courthouse law library or any law library.
 - 14.2. Refusing requests by the jury panel to receive the written statutes being enforced.
15. Representing any government publication that is NOT published in the government statutes as “law” to the jury. This unconstitutionally delegates legislative power to the judge. See:

Reasonable Belief About Income Tax Liability, Form #05.007
<https://sedm.org/Forms/FormIndex.htm>

16. Entering a plea on behalf of a criminal defendant who is challenging jurisdiction BEFORE he or she makes a plea. This constitutes unlawfully “practicing law” while on the bench.
17. Tampering with the court record by ordering the court clerk to modify written testimony.
18. Compelling or enticing the surrender of rights in exchange for privileges or perks. This is a violation of the Unconstitutional Conditions Doctrine as described in:

Government Instituted Slavery Using Franchises, Form #05.030, Section 28.2
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

19. Expunging or removing or striking pleadings filed by the Protected Party from the record of any legal proceeding, and especially at the request or under the direction of any government officer such as the judge or opposing counsel. This is criminal obstruction of legal justice.
20. Citing irrelevant caselaw against the Protected Party as a point and authority. By “irrelevant” we mean case law involving a party who was not “similarly situated” in terms of legal status to that of the Protected Party. For instance, citing rulings involving “taxpayers” against the Protected Party, who is a NONTAXPAYER not subject to the Internal Revenue Code. The result is CRIMINAL identity theft as described in:

Government Identity Theft, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

10.4 Government employees

“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.”³¹ Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.³² That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.³³ and owes a fiduciary duty to the public.³⁴ It has been said that the fiduciary responsibilities

³¹ State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

³² Georgia Dep’t of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

³³ Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

³⁴ United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed.2d. 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed.2d. 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864

1 of a public officer cannot be less than those of a private individual. ³⁵ Furthermore, it
2 has been stated that any enterprise undertaken by the public official which tends to
3 weaken public confidence and undermine the sense of security for individual
4 [PRIVATE] rights is against public policy. ³⁶“
5 [63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

6 Government employees consent to this agreement by any of the following activities that are beyond their delegated
7 authority:

- 8 1. Performing acts outside their written delegation order.
- 9 2. Refusing to recognize or discuss the legal or constitutional limits upon their authority, which the Congress defines as
10 the essence of COMMUNISM itself:

11 [TITLE 50 > CHAPTER 23> SUBCHAPTER IV> Sec. 841.](#)
12 [Sec. 841. - Findings and declarations of fact](#)

13 *The Congress finds and declares that the Communist Party of the United States [consisting*
14 *of the IRS, DOJ, and a corrupted federal judiciary], although purportedly a political*
15 *party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government*
16 *of the United States [and replace it with [a de facto government ruled by the judiciary](#)]. It*
17 *constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in*
18 *collusion] within a [constitutional] republic, demanding for itself the rights and*
19 *[FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in*
20 *violation of [Article 1, Section 9, Clause 8 of the Constitution](#)] accorded to political parties,*
21 *but denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form*
22 *#10.002]. Unlike political parties, which evolve their policies and programs through*
23 *public means, by the reconciliation of a wide variety of individual views, and submit those*
24 *policies and programs to the electorate at large for approval or disapproval, the policies*
25 *and programs of the Communist Party are secretly [by corrupt judges and the IRS in*
26 *complete disregard of, Form #05.014, the tax franchise "codes", Form #05.001]*
27 *prescribed for it by the foreign leaders of the world Communist movement [the IRS and*
28 *Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by*
29 *the framing of [Congressman Traficant](#)] have no part in determining its goals, and are not*
30 *permitted to voice dissent to party objectives. Unlike members of political parties, members*
31 *of the Communist Party are recruited for indoctrination [in [the public FOOL system](#) by*
32 *homosexuals, liberals, and socialists] with respect to its objectives and methods, and are*
33 *organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into*
34 *action slavishly the assignments given them by their hierarchical chieftains. Unlike*
35 *political parties, the Communist Party [thanks to a [corrupted federal judiciary](#)]*
36 *acknowledges no constitutional or statutory limitations upon its conduct or upon that of*
37 *its members [ANARCHISTS!, Form #08.020]. The Communist Party is relatively small*
38 *numerically, and gives scant indication of capacity ever to attain its ends by lawful political*
39 *means. The peril inherent in its operation arises not from its numbers, but from its failure*
40 *to acknowledge any limitation as to the nature of its activities, and its dedication to the*
41 *proposition that the present constitutional Government of the United States ultimately*
42 *must be brought to ruin by any available means, including resort to; force and violence*
43 *[or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign*
44 *power [the Federal Reserve and the American Bar Association (ABA)] renders its*
45 *existence a clear present and continuing danger to the security of the United States. It*
46 *is the means whereby individuals are seduced illegally KIDNAPPED via identity theft!,*
47 *Form #05.046] into the service of the world Communist movement fusing FALSE*

F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

³⁵ Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

³⁶ Indiana State Ethics Comm'n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

information returns and other PERJURIOUS government forms, Form #04.001], trained to do its bidding [by FALSE government publications and statements that the government is not accountable for the accuracy of, Form #05.007], and directed and controlled [using FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030] in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed

3. Penalizing or attempting illegally to penalize Protected Party illegally when he or she does NOT satisfy the statutory definition of “person”, such as in 26 U.S.C. §6671(b). For details, see:

Why Penalties are Illegal for Anything But Government Franchisees, Employees, Contractors, or Agents, Form #05.010
<https://sedm.org/Forms/FormIndex.htm>

4. Enforcing or attempting to enforce the penal or criminal statutes illegally against Protected Party when he or she does NOT satisfy the statutory definition of “person”, such as in 26 U.S.C. §7343.
5. Refusing to provide their delegation order.
6. Refusing to sign all correspondence under penalty of perjury, as required by 26 U.S.C. §6065. Government cannot exempt itself from this rule without attributing to itself in effect an unconstitutional “Title of Nobility” not available to ordinary Americans and erecting an illegal civil religion where they are the object of worship.
7. Interfering with administrative or legal discovery useful in cases against the government.
8. Refusing to authenticate documents obtained through FOIA or Privacy Act discovery as a way to make the data inadmissible in pending or actual litigation.
9. Using any written publication OTHER than positive law and the regulations implementing it in taking an action that adversely affects the private property of the Submitter. See:
- Reasonable Belief About Income Tax Liability, Form #05.007
<https://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>
10. Taking any action adversely affecting the private property interest of the Submitter in the presence of financial conflict of interest that violates 18 U.S.C. §208.
11. Ignoring or suppressing from evidence any correspondence dealing with violations of law by government workers that jeopardizes the private property interests of someone litigating against the government.

11 Agreement is NOT an “unjust enrichment” or an Adhesion Contract, like everything the GOVERNMENT Offers³⁷

11.1 Introduction

Parties agree that this agreement:

1. Is NOT an unjust enrichment of Protected Party or an attempt to escape responsibility to pay for services requested and received from any government by Protected Party.
2. Is instead intended to enforce the rules of equity to show that there is unjust enrichment and an unconscionable contract in the case of the civil statutory law offered as a franchise by the government.
3. Is not an attempt to merely throw rocks at the status quo, but a sincere attempt to provide a better and much more humane alternative.
4. Is an attempt to show that the ONLY equitable solution for all the problems with the social compact documented herein is to:
 - 4.1. Have people sign up annually for the “civil services” as defined earlier in section 4.1.6 that they want in the coming year and agree to pay for. This, then, becomes the MAIN and only purpose of filing an annual “tax return”. It is a voluntary “subscription” model for providing “civil services”. If private businesses deliver services by this method and civil services are defined herein as non-essential services, then those services become PRIVATE business activity beyond the core purpose of government in which the government must behave and be treated just like any other private business that offers voluntary services. It may not assert official, judicial, or sovereign immunity to evade responsibility to deliver exactly and ONLY what was explicitly asked for, consented to, and paid for.
 - 4.2. Have consumers pay during the coming year for those “civil services” as they are consumed.

³⁷ Adapted from: Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051, Section 2; <https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

4.3. Provide an administrative method to terminate services for nonpayment without the need to litigate. All of the above are provided by the following improvements to the CURRENT social compact that fixes all its defects and yet respects the need to pay for services that are consumed. It would also eliminate most of the in-fighting of identity politics over who gets the excess taxes collected for OVERPAYMENTS of services because all services were bundled together as part of the “weaponization of government” defined in section 4.1.30 earlier. This would eliminate the current polarization of the political process that is breaking this country apart.

Self Government Federation: Articles of Confederation, Form #13.002
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

5. Establishes that the CIVIL STATUTORY law itself behaves as the “adhesion contract” and “unconscionable contract” which acquires the “force of law” through in effect SLAVERY and identity theft upon Protected Party in a process called “weaponization of the government”:

“Cases of abandonment of residence, as applied to homesteads, or as to residence, where it is not essential that [*278] one have a homestead at all, or a definite residence, for the purposes of the case, are not applicable to such controversies as this, where a man must have a residence or domicile somewhere. Courts endeavor to construe revenue laws so that each one will share his just burden of taxation; and he should pay his taxes somewhere. Hence it is the universal rule, in construing revenue statutes, that, as a man must have a domicile or taxing residence somewhere, his old residence will be deemed his present one until a new one is acquired. If this were not the rule, a man might escape taxation altogether. Assuming, for the purposes of argument, as we must, that the laws of California are the same as our own, Barhydt would escape all taxation for the year 1910, were he successful in this appeal; for he could not, under the record, be taxed in California. Our own cases, with possibly one exception, sustain this view, and, as we shall see, this is the holding elsewhere. Of our own cases supporting the conclusion [***11] here reached, see *Tuttle v. Wood*, 115 Iowa 507 at 509, 88 N.W. 1056; *Glottelty v. Brown*, 148 Iowa 124, 126 N.W. 797; *In re Titterington*, 130 Iowa 356 at 358, 106 N.W. 761; *Nugent v. Bates*, 51 Iowa 77 at 79, 50 N.W. 76; *Cover v. Hatten*, 136 Iowa 63 at 65, 113 N.W. 470. [Barhydt v. Cross, 156 Iowa 271, 277-278 (1912)]

The above case in effect FORCES people to choose a civil statutory protector SOMEWHERE, which in itself is involuntary servitude of the party does not want it given that the common law alone is sufficient to provide protection and is not voluntary. The civil statutory code therefore behaves as a COMPELLED franchise the FORCES people to become “customers” of government civil services that they do not want. See:

- 5.1. *Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>
- 5.2. *Proof that Involuntary Income Taxes on Your Labor are Slavery*, Form #05.055
<https://sedm.org/product/proof-that-involuntary-income-taxes-on-your-labor-are-slavery-form-05-055/>
6. Establishes that if there ever was “The Matrix”, the social compact itself IS that matrix, as documented in:
- 6.1. *How Scoundrels Corrupted Our Republican Form of Government*, Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>
- 6.2. The Bible:

“The rich rules over the poor,
And **the borrower is servant to the lender.**”
[Prov. 22:7, Bible, NKJV]

Curses of Disobedience [to God’s Laws]

“The alien [Washington, D.C. is legislatively “alien” in relation to states of the Union] who is among you shall rise higher and higher above you, and you shall come down lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve counterfeiting franchise], but you shall not lend to him; he shall be the head, and you shall be the tail.

1 “Moreover **all these curses shall come upon you and pursue and overtake you, until you**
2 **are destroyed, because you did not obey the voice of the Lord your God, to **keep His****
3 **commandments and His statutes which He commanded you.** And they shall be upon you
4 for a sign and a wonder, and on your descendants forever.

5 “Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for
6 the abundance of everything, therefore you shall serve your [covetous thieving lawyer]
7 enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in
8 need of everything; and He will put a yoke of iron [franchise codes] on your neck until He
9 has destroyed you. The Lord will bring a nation against you from afar [the District of
10 CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle],
11 a nation whose language [LEGALESE] you will not understand, a nation of fierce
12 [coercive and fascist] countenance, which does not respect the elderly [assassinates them
13 by denying them healthcare through bureaucratic delays on an Obamacare waiting list]
14 nor show favor to the young [destroying their ability to learn in the public FOOL
15 system]. And they shall eat the increase of your livestock and the produce of your land
16 [with “trade or business” franchise taxes], until you [and all your property] are destroyed
17 [or STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the
18 increase of your cattle or the offspring of your flocks, until they have destroyed you.
19 [Deut. 28:43-51, Bible, NKJV]

- 20 7. Establishes that under the concept of equality of treatment that is the foundation of all law, the RULES OF EQUITY
21 permit me to use the same tactics against them that they use to create and implement their adhesion contract, which
22 then is the authority for implementing this contract:

23 “The State in such cases exercises no greater right than an individual may exercise over
24 the use of his own property when leased or loaned to others. The conditions upon which
25 the privilege shall be enjoyed being stated or implied in the legislation authorizing its
26 grant, no right is, of course, impaired by their enforcement. The recipient of the privilege,
27 in effect, stipulates to comply with the conditions. It matters not how limited the privilege
28 conferred, its acceptance implies an assent to the regulation of its use and the
29 compensation for it.”
30 [Munn v. Illinois, 94 U.S. 113 (1876)]

- 31 8. Establishes the fact that the GOVERNMENT and Government Actor are the ONLY real beneficiary of every service
32 they offer, and thus CANNOT offer REAL or TANGIBLE or DIRECT consideration, benefit, or absolutely owned
33 private property to the Protected Party. Thus, government can only realistically protect their own property or officers
34 and you have to volunteer to join the government as a public officer or agent to get ANY civil protection at all. See:

Why Government is the Only Real Beneficiary of All Government Franchises, Form #05.051

<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

35 **11.2 The PROBLEM with the “Social Compact” (CIVIL STATUTORY LAW) as explained by** 36 **a legal expert that got 90% on the Bar Exam**

37 The following interchange with the Openai ChatGPT-4 AI Chatbot explains the problem with the social compact that this
38 agreement intends to NULLIFY. The ChatGPT-4 AI Chatbot got a 90% on the Bar Exam. This discussion presupposes
39 that “the social compact” and the CIVIL STATUTORY LAW are equivalent, because both are the only components of the
40 legal system that are, in fact, based on CONSENT in some form as far as government is concerned. The abuse of the
41 “social compact” and the VOLUNTARY civil statutory law that it implements is defined earlier 4.1.30 as “weaponization
42 of government”. The interchange begins after the horizontal line.

43 You can ask your own questions at:

44 <http://chat.openai.com>
45

QUESTION: If a judge compels or assigns someone a civil domicile, isn't he in fact compelling them to become a party to the social compact? You cannot register to vote without a domicile, and voting is a privilege, so isn't the judge forcing the party to contract at that point?

ANSWER: The concept of civil domicile refers to a person's legal residence or permanent address for various legal and administrative purposes. It is typically determined based on factors such as where a person resides or intends to make their home. However, civil domicile is not directly equivalent to the social compact.

While civil domicile may be a factor in determining a person's eligibility to exercise certain privileges, such as voting, it does not necessarily mean that a judge is compelling someone to enter into a contract or the social compact.

Voting is indeed considered a privilege in many jurisdictions, and it is often linked to residency or domicile requirements. These requirements aim to ensure that individuals who participate in the democratic process have a sufficient connection to the jurisdiction in question.

The role of a judge in assigning or determining civil domicile may vary depending on the legal system and the specific circumstances. However, it is generally within the authority of the judiciary to interpret and apply the laws regarding residency or domicile requirements, including for purposes of voter registration.

It is important to note that while the exercise of certain privileges, like voting, may be conditioned upon meeting certain requirements, this does not necessarily mean that individuals are being compelled to enter into a contract or the social compact. Rather, it reflects the legal framework and eligibility criteria established by the relevant jurisdiction for the exercise of those privileges.

In summary, while civil domicile and voting privileges may be connected, it does not necessarily mean that a judge compelling someone to establish a civil domicile is equivalent to forcing them to enter into a contract or the social compact. The requirements and conditions associated with voting and residency are established by the legal system and are subject to legal interpretation and application.

QUESTION: Could a compact accurately be described as a contract in which consent is implied through specific actions defined by the government offering the compact?

ANSWER: Yes, a compact can be accurately described as a contract in which consent is implied through specific actions defined by the government offering the compact. In this context, consent is typically understood as being implied through the actions or conduct of the parties involved.

A compact, or social contract, is a theoretical construct that explains the relationship between individuals and the government. It posits that individuals implicitly consent to be governed and abide by the rules and laws of the society in exchange for the protection of their rights and the benefits provided by the government.

While the consent in a compact is often not explicitly expressed through a signed document or formal agreement, it is considered to be implied based on the individual's actions or behaviors that demonstrate their acceptance of the social contract. By residing within a particular jurisdiction, enjoying the benefits and protections provided by the government, and participating in societal activities, individuals are seen as consenting to the compact or contract.

This concept of implied consent through actions aligns with the idea that by actively participating in society, individuals agree to the terms and obligations set forth by the government.

It is worth noting that the interpretation and application of the social contract theory can vary, and different philosophers and legal theorists may have different perspectives on the nature of consent and the implications of implied consent within the social contract framework.

QUESTION: Doesn't the ability to even offer a compact of this nature derive from the fact that a benefit or consideration of some kind offered by the government and that the consideration offered is implicitly not free and must be paid for?

ANSWER: In the context of the social contract theory, it is often understood that the government offers certain benefits and protections to individuals as part of the compact. These benefits can include security, the rule of law, public services, infrastructure, and various other goods and services provided by the government.

The idea is that these benefits come at a cost, and individuals are expected to fulfill certain obligations or responsibilities in return. These obligations can include paying taxes, obeying laws, serving on juries, or participating in the democratic process, among others.

In this sense, it can be argued that the consideration offered by the government is not explicitly "free" and that individuals are expected to contribute or pay for the benefits they receive. This contribution is seen as part of the social contract and is necessary for the functioning and sustainability of the society and government.

However, it's important to note that the exact nature of the consideration and the obligations may vary depending on the specific society, legal system, and cultural context. The terms and conditions of the social contract are typically defined by laws, regulations, and other legal instruments established by the government.

It's also worth mentioning that the concept of the social contract is a philosophical and theoretical construct used to explain the legitimacy and basis of government authority. Different interpretations and perspectives on the social contract exist, and there may be debates and variations in how individuals perceive and fulfill their obligations within this framework.

QUESTION: So what we are really talking about, then, is technically a "quid pro quo". Is that correct?

ANSWER: Yes, the concept of a "quid pro quo" can be applicable in the context of the social contract. A "quid pro quo" refers to the exchange of something valuable or beneficial in return for something else. In the case of the social contract, individuals are seen as entering into a mutual agreement with the government where they receive certain benefits and protections in exchange for fulfilling certain obligations and responsibilities.

This exchange can be seen as a form of "quid pro quo" where individuals contribute through their actions, such as paying taxes or obeying laws, in order to receive the benefits and protections provided by the government.

However, it's important to note that the social contract is not necessarily a transactional agreement in the same way a contract is in a commercial context. The social contract is a theoretical construct that aims to explain the relationship between individuals and the government, and the exchange is often more implicit and based on the ongoing functioning of society rather than a direct negotiation or explicit agreement.

Nonetheless, the concept of "quid pro quo" can provide a useful framework for understanding the reciprocal nature of the social contract and the expectations of mutual obligations and benefits between individuals and the government.

QUESTION: What legal authorities useful in court might support the position that you have a right to not receive a benefit or privilege and may reject all such quid pro quo offers?

ANSWER: In legal proceedings, several authorities and legal principles could potentially support the position that an individual has the right to refuse or reject certain benefits or privileges offered as part of a quid pro quo arrangement. Here are a few legal authorities that might be relevant:

Right to Liberty: The right to liberty, enshrined in various national and international legal frameworks, protects an individual's freedom to make choices and decisions regarding their own life and well-being. This right can provide a basis for arguing that individuals have the freedom to decline or reject certain benefits or privileges without being compelled to accept them.

1. **Right to Privacy:** The right to privacy, recognized in many legal systems, safeguards an individual's autonomy and control over personal decisions and information. It can be invoked to support the idea that individuals have the right to refuse benefits or privileges that may require the disclosure of personal information or impinge on their privacy interests.

2. **Freedom of Association:** The freedom of association, a fundamental right protected by many constitutions and human rights instruments, allows individuals to choose their associations and affiliations freely. This freedom can be invoked to argue that individuals have the right to decline participation in certain groups or organizations, including those that offer benefits or privileges.

3. **Right to Equal Protection:** The right to equal protection under the law, guaranteed by many legal systems, ensures that individuals are treated fairly and without discrimination. This right can be relevant when arguing that individuals should have the freedom to refuse benefits or privileges without facing unfair or discriminatory treatment.

4. Contract Law Principles: In certain circumstances, contract law principles may come into play. Depending on the specific situation, contractual concepts such as offer, acceptance, consideration, and consent could be invoked to support the argument that individuals have the right to reject a quid pro quo arrangement if they have not willingly and voluntarily entered into such an agreement.

It is important to note that the specific legal authorities and arguments that may be applicable can vary depending on the jurisdiction, the specific facts of the case, and the legal framework in question. Consulting with a legal professional who is familiar with the relevant laws and jurisprudence is advisable for a comprehensive analysis of the situation and the most appropriate legal authorities to rely on in court.

QUESTION: What legal authorities within the United states of America support the proposition that you have a right to NOT be domiciled ANYWHERE, and to not be eligible to receive any benefit or civil statutory protection?

ANSWER: In the United States, there is no specific legal authority that grants individuals the right to not be domiciled anywhere or to not be eligible to receive any benefit or civil statutory protection. The concept of domicile is a fundamental aspect of legal systems, and individuals are typically required to have a legal residence or domicile for various purposes, including jurisdictional matters, tax obligations, and the exercise of certain rights and privileges.

However, it is important to note that the U.S. legal system does recognize certain rights and principles that can provide some support for individual autonomy and freedom of choice. These include:

1. Right to Privacy: The U.S. Constitution does not explicitly mention a right to privacy, but it has been recognized by the U.S. Supreme Court as an implied right derived from various constitutional provisions. The right to privacy can be invoked to argue against forced domicile or unwanted government intrusion into one's personal affairs.
2. Freedom of Movement: The U.S. Constitution protects the right of individuals to travel and move freely within the country. While this right does not necessarily extend to the complete avoidance of domicile requirements, it can support arguments for individual mobility and the ability to choose one's place of residence within the United States.
3. Due Process and Equal Protection: The Fifth and Fourteenth Amendments of the U.S. Constitution provide protections of due process and equal protection under the law. These provisions can be invoked to argue against arbitrary or discriminatory treatment related to domicile requirements or the denial of benefits.
4. First Amendment Freedoms: The First Amendment protects several fundamental freedoms, including freedom of speech, religion, assembly, and the right to petition the government. While these freedoms may not directly address the issue of domicile, they contribute to the overall principles of individual autonomy and choice within the United States.

It is important to note that the legal authorities mentioned above may provide some support for arguments related to individual autonomy and freedom of choice. However, they do not establish an absolute right to not be domiciled anywhere or to refuse all benefits or civil statutory protections. The legal framework within the United States generally requires individuals to have a legal residence or domicile for various legal purposes.

QUESTION: Is the idea behind the social compact as a "quid pro quo", that no individual may draw more property or value out of the public fisc than they put in, so that they don't become a burden to society or take property from others by means of the tax system?

ANSWER: The idea behind the social compact is a broad concept that varies depending on the philosophical and theoretical perspectives one adopts. It is not solely centered on the concept of a "quid pro quo" or ensuring that no individual draws more property or value out of the public fisc than they put in.

The social compact theory, rooted in the works of political philosophers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, seeks to explain the basis of government authority and the relationship between individuals and the state. It posits that individuals willingly enter into a social contract or compact with the government, surrendering certain freedoms or rights in exchange for the protection of their remaining rights and the benefits provided by the government.

The specific terms and conditions of the social compact can vary depending on the philosophical perspective. It may include concepts such as mutual obligations, responsibilities, and rights of both individuals and the government.

1 While the idea of fairness and not burdening society unduly can be relevant to discussions of the social compact, it is not the
2 sole or exclusive focus. The social compact also addresses issues such as the protection of individual rights, the establishment
3 of rule of law, the provision of public goods and services, and the creation of a system for collective decision-making and
4 governance.

5 The operation of the tax system and the allocation of resources within society can be considered part of the broader framework
6 of the social compact, but it is not the sole determinant of the social compact itself. The principles of fairness, equity, and
7 avoiding undue burden can inform discussions around taxation and public finance, but they are not the sole objectives or
8 components of the social compact theory.

9 **QUESTION:** Doesn't the social compact function as an unconscionable "adhesion contract", in that the government that
10 writes it is the Merchant and the only one who can define its terms, and that you are only left with two choices: Accept it
11 and lose whatever natural or constitutional rights they happen to want to take from you, or literally be ostracized and starved
12 to death because unable to get government ID connecting you to membership? You can't conduct most important financial
13 transactions without government id connecting you to a domicile and membership in the social compact, right?

14 **ANSWER:** The concept of the social compact does not typically function as an unconscionable "adhesion contract" in the
15 legal sense. The social compact is a theoretical construct used to explain the relationship between individuals and the
16 government, and it is not a legally binding contract in the same way a commercial contract operates.

17 An adhesion contract typically refers to a contract in which one party has significantly more bargaining power than the other,
18 leading to an unfair or unequal agreement. In the context of the social compact, it is true that the government holds significant
19 power in defining the terms and conditions of governance. However, the social compact is not a contract entered into by
20 individuals in the same way that parties voluntarily enter into commercial contracts.

21 The social compact is often seen as a foundational concept in political philosophy, describing the theoretical agreement or
22 understanding between individuals and the government regarding the governance of society. It is based on principles of
23 consent, mutual obligations, and the protection of individual rights. While the government plays a crucial role in defining and
24 implementing the social compact, it is ultimately a reflection of the collective will and participation of the governed.

25 Regarding your question about government ID and membership in the social compact, it is true that government-issued
26 identification and proof of residence are often required for various purposes, including financial transactions, voting, and
27 accessing certain services. These requirements are generally in place to establish legal identity, maintain security, and ensure
28 compliance with legal and regulatory obligations.

29 However, it is important to note that the specific requirements and procedures for obtaining government ID and connecting
30 to the social compact can vary depending on the jurisdiction. Governments typically provide avenues for individuals to
31 establish their identity and fulfill the necessary requirements for participation in society.

32 While there may be debates and discussions about the extent of identification requirements and their impact on individual
33 rights, it is generally recognized that some level of identification is necessary for various purposes in modern societies.

34 It's also worth noting that individuals have avenues to challenge and seek redress if they believe their rights have been violated
35 or if they disagree with specific policies or requirements. Legal systems provide mechanisms, such as courts and
36 administrative processes, for addressing grievances and ensuring the protection of individual rights within the framework of
37 the social compact.

38 **QUESTION:**

39 Doesn't the domicile function as an unconscionable "adhesion contract", in that the government that establishes the terms of
40 acquiring government identification is the Merchant and the only one who can define its terms, and that you are only left with
41 two choices: Accept it and lose whatever natural or constitutional rights they happen to want to take from you, or literally be
42 ostracized and starved to death because unable to get government ID connecting you to membership? You can't conduct
43 most important financial transactions without government id connecting you to a domicile and membership in the social
44 compact, right?

ANSWER: The concept of domicile, as it pertains to legal residence or the establishment of a fixed place of abode, is an important aspect of legal systems. It is typically used for various purposes, including identification, taxation, voting, and accessing certain rights and benefits.

While the acquisition of government identification and the establishment of domicile are typically regulated by the government, it does not necessarily make it an unconscionable adhesion contract. An adhesion contract is a type of contract where one party has significantly more bargaining power and dictates the terms of the contract to the other party, often resulting in an unfair or unequal agreement.

In the case of domicile, it is true that the government plays a role in defining the requirements and procedures for establishing legal residence and obtaining government identification. However, the establishment of domicile is not a contract entered into voluntarily in the same way as a commercial contract.

Domicile requirements are generally in place to establish legal identity, maintain social order, ensure compliance with legal obligations, and facilitate the functioning of various aspects of society. While individuals are subject to these requirements, they also receive certain rights and benefits from the government, such as protection under the law, access to public services, and participation in the political process.

While it is true that government identification and domicile are often necessary for conducting important financial transactions and accessing certain rights and benefits, the specific requirements and procedures can vary depending on the jurisdiction and the purpose for which identification is needed.

It is important to recognize that legal systems typically provide avenues for individuals to establish their identity, fulfill necessary requirements, and seek redress if they believe their rights have been violated. If you have concerns about specific requirements or believe your rights have been infringed, it may be advisable to consult with a legal professional who can provide guidance based on the laws and regulations of your jurisdiction.

QUESTION: But what if I only want to be able to conduct financial transactions but do NOT want the protection or benefit of any government other than CRIMINAL protection? Domicile implies civil protection that I don't want. Doesn't bundling things I don't want, such as civil statutory protection, with things that I do want, being a physical ID ONLY and nothing more, constitute an adhesion contract?

ANSWER: I understand your perspective, but it's important to note that the establishment of domicile and the associated legal requirements serve various purposes beyond civil protection. Domicile is typically used to determine legal residence for purposes of taxation, voting, accessing certain rights and benefits, and establishing jurisdiction for legal matters.

While it may not be possible to separate the aspects of domicile that you desire (such as a physical ID for financial transactions) from other associated legal requirements, it doesn't necessarily constitute an adhesion contract. Adhesion contracts typically involve unfair or unequal terms, where one party has significantly more bargaining power and dictates the terms to the other party. In the case of domicile, the requirements and procedures are generally established by the government to ensure the functioning of various aspects of society, maintain order, and protect the rights of individuals.

However, it's worth noting that legal systems differ among jurisdictions, and specific laws and regulations may vary. If you have concerns about specific requirements or believe your rights are being infringed upon, it is advisable to consult with a legal professional who can provide guidance based on the laws and regulations of your jurisdiction. They can help you understand your options and rights within the legal framework that applies to your specific situation.

QUESTION: A monopolistic business practice or "anticompetitive behavior" is one in which there is bundling of things people want with what they don't want. Large corporations have been routinely sanctioned by governments for doing this. Don't governments do EXACTLY the same thing with the government ID they offer: bundling a domicile and obligations I don't want, with what I do want, which is ONLY a physical ID with no legal strings attached?

ANSWER: I understand your analogy to bundling practices in the business world, where certain products or services are packaged together. However, it's important to note that governments have a distinct role and responsibility in providing identification documents and establishing legal requirements for residence and identification.

Governments establish legal frameworks to ensure public order, protect individual rights, and facilitate the functioning of society. In this context, the requirement of establishing a domicile is often tied to various legal obligations, such as taxation,

1 voting, and access to certain rights and benefits. These requirements are established to maintain social order, provide
2 governance, and ensure compliance with legal and regulatory obligations.

3 While it may be your preference to have a physical ID without any legal obligations or strings attached, the reality is that
4 governments have established legal frameworks and requirements that accompany identification documents. These
5 frameworks serve various purposes, including security, public administration, and the provision of services and benefits to
6 citizens.

7 It's important to recognize that the legal system and the associated requirements, including domicile, are products of the social
8 and political framework in which governments operate. If you have concerns about specific requirements or believe your
9 rights are being infringed upon, it is advisable to consult with a legal professional who can provide guidance based on the
10 laws and regulations of your jurisdiction. They can help you understand the legal framework and explore potential options
11 within that framework.

12 **QUESTION:** I told you I don't want any benefits, strings, or obligations. Just a goddam piece of paper that accurately
13 identifies me but doesn't make me an agent of the issuer who can be regulated. You're saying essentially that government
14 violates its own monopoly laws in the issuance of IDs by bundling other things with them, and that this monopoly literally
15 can impose any obligation whatsoever that they want, even if it makes you a slave with no rights. Is that correct?

16 **ANSWER:** I apologize if my previous responses did not address your specific concerns. Let me clarify the points I made:

- 17 1. **Government Identification:** Governments issue identification documents for various purposes, including
18 establishing legal identity and facilitating participation in society. These identification documents often come with
19 certain obligations and requirements based on the legal framework established by the government.
- 20 2. **Legal Framework:** Governments have the authority to establish legal frameworks and requirements for
21 identification and residence. These frameworks serve purposes such as maintaining public order, protecting
22 individual rights, and ensuring compliance with legal and regulatory obligations.
- 23 3. **Rights and Obligations:** The legal framework sets out rights and obligations for individuals within a given
24 jurisdiction. While individuals may have preferences regarding the scope of their rights and obligations, the legal
25 framework is determined by the laws and regulations of the respective government.

26 It is important to recognize that the laws and regulations regarding identification and residence vary among jurisdictions. If
27 you have specific concerns or questions about the laws and regulations in your jurisdiction, it is advisable to consult with a
28 legal professional who can provide guidance based on the specific legal framework that applies to your situation.

29 My role is to provide general information, and I am not equipped to provide legal advice tailored to your specific
30 circumstances. Consulting with a legal professional is the best course of action for addressing your concerns within the legal
31 framework of your jurisdiction.

32 **QUESTION:** By "legal framework" do you mean the "choice of law" in resolving disputes? For instance, the choice between
33 the common law and the civil statutory law?

34 **ANSWER:** When I refer to the "legal framework," I am referring to the overall system of laws, regulations, and legal
35 principles that govern a particular jurisdiction. It encompasses a range of elements, including statutory laws, common law
36 precedents, administrative regulations, constitutional provisions, and judicial interpretations.

37 The legal framework determines how disputes are resolved, the rights and obligations of individuals, the procedures for legal
38 processes, and the overall structure of the legal system. It includes the choice of law principles, which guide courts in
39 determining which laws apply to a particular case when multiple jurisdictions or legal systems are involved.

40 In terms of the choice between common law and civil statutory law, it is a distinction between two major legal systems.
41 Common law is a legal system primarily based on judicial decisions and precedent, while civil statutory law is a legal system
42 primarily based on written codes and statutes. The choice of law principles can vary depending on the jurisdiction and the
43 specific circumstances of a case.

1 It's important to note that the choice of law principles and the legal framework are established by the legislative and judicial
2 branches of government. They define the applicable laws and determine how disputes are resolved within the legal system.
3 Consulting with a legal professional familiar with the laws and regulations of your jurisdiction is recommended for specific
4 legal advice and guidance tailored to your circumstances.

5 **QUESTION:** The legislature can't force anyone to abandon invoking ONLY the common law and the constitution for their
6 protection, can they? If that were true, we wouldn't need a bill of rights, would we?

7 **ANSWER:** You are correct that the legislature cannot force individuals to abandon invoking the common law or the
8 constitutional protections that apply to them. The Bill of Rights, as part of the United States Constitution, guarantees certain
9 fundamental rights and protections to individuals, and these rights cannot be taken away or abridged by the legislature.

10 The purpose of the Bill of Rights is to safeguard individual liberties and ensure that the government respects and upholds
11 certain fundamental rights, such as freedom of speech, religion, and due process. These rights serve as a check on government
12 power and provide individuals with legal protections.

13 While the legislature has the authority to enact laws, those laws must comply with the constitutional framework and respect
14 the rights guaranteed by the Constitution. If a law violates constitutional rights or is inconsistent with the principles of the
15 common law, individuals have the right to challenge its constitutionality through legal means, such as by bringing a lawsuit
16 or pursuing legal remedies.

17 It is through the legal system, including the courts, that disputes regarding the interpretation and application of laws, including
18 the constitution, are resolved. The courts play a crucial role in interpreting laws and ensuring that they comply with the
19 constitutional framework.

20 Ultimately, the Bill of Rights and the legal system exist to protect individual rights and provide recourse for those who believe
21 their rights have been violated. If you believe your rights have been infringed upon, it is advisable to consult with a legal
22 professional who can provide guidance based on the specific circumstances and legal framework that applies to your situation.

23 **11.3 Circumstances of the government's usual offer of CIVIL STATUTORY protection to the** 24 **Protected Party**

25 It is a maxim of law that you have an absolute RIGHT to reject any and all "benefits", "privileges", "franchises", and
26 government property and the obligation to pay for them. Below are some examples:

27 *"Cujus est commodum ejus debet esse incommodum.*
28 *He who receives the benefit should also bear the disadvantage."*

29 *"Que sentit commodum, sentire debet et onus.*
30 *He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2*
31 *Bouv. Inst. n. 1433."*

32 *Commodum ex injuri su non habere debet.*
33 *No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

34 *Invito beneficium non datur.*
35 *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does*
36 *not dissent he will be considered as assenting. Vide Assent.*

37 *Potest quis renunciare pro se, et suis, juri quod pro se introductum est.*
38 *A man may relinquish, for himself and his heirs, a right which was introduced for his*
39 *own benefit. See 1 Bouv. Inst. n. 83.*

40 *Quilibet potest renunciare juri pro se inducto.*
41 *Any one may renounce a law introduced for his own benefit. To this rule there are some*
42 *exceptions. See 1 Bouv. Inst. n. 83.*

[Bouvier's Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm/>

The above are principles of EQUITY that all maxims of law implement. We talk about the above principles in the following link on our opening page, in fact:

Hot Issues: Common Law and Equity Litigation, SEDM

<https://sedm.org/common-law-litigation/>

But HOW exactly might one invoke these principles in a common law or equity setting to in effect COMPEL the court to respect them and which might be easy to explain to a common law jury? That is the focus of this article.

To answer that question, we must first focus on when and where we would most likely need to do this. Most often, this approach would be needed in tax litigation relating to civilly or criminally enforcing the payment or non-payment of a tax. We must remember that all taxes have the following characteristics in common:

1. The tax relates to your obligation to pay for a specific "benefit" or "privilege".
2. The obligation to pay the tax covers a specific defined period of time such as a year.
3. You acquired the obligation to pay from a CIVIL perspective by joining a specific class, group, or civil status that has the obligation.
4. The government has the burden of proving that you voluntarily joined the group that is the only proper object of enforcement authority. If not, slavery and human trafficking are involved on their part.
5. The government attempting to enforce disguises the ORIGIN of the obligation to pay by calling it a "quasi-contract". This is a code word for a voluntary act you engaged in that is excise taxable and which constituted CONSTRUCTIVE consent to join the civil legal group or class that is the only proper object of the civil obligation to pay.
6. The group or class that has the obligation is ALWAYS an OFFICE within the government that is legislatively created by civil legislation enacted by the government.
7. By claiming the status defined in the legislation creating the office, you in effect are deemed to VOLUNTEER for the obligations attached to the civil office by accepting the juridical privileges ([franchises, Form #05.030](#)) that are ALSO attached to it.
8. By invoking or accepting the civil statutory juridical PRIVILEGES and public rights ([franchises, Form #05.030](#)) attached to the office, you also implicitly accept the obligations that make the delivery of those rights possible. Thus, the government is a Merchant offering you its PUBLIC property, you are the Buyer, and there is a "tacit procurement" or "sub silentio" purchase of their property or services by seeking or invoking those property or services in an administrative or judicial setting.
9. The authority to force you to PAY for the benefit or privilege you are seeking originates not only from the above maxims of law, but the common law principle of unjust enrichment.

Unjust enrichment is described below:

unjust enrichment. (1897) 1. The retention of a benefit conferred by another not as a gift, but instead in circumstances where compensation is reasonably expected. 2. A benefit obtained from another, not intended as a gift and not legally justifiable, for which the beneficiary must make restitution or recompense. • Unjust enrichment is a basis of civil liability involving a claim for recovery that sometimes also goes by the name restitution. Instances of unjust enrichment typically arise when property is transferred by an act of wrongdoing (as by conversion or breach of fiduciary duty), or without the effective consent of the transferor (as in a case of mistake), or when a benefit is conferred deliberately but without a contract, and the court concludes that the absence of a contract is excusable as when the benefit was provided in an emergency, or when the parties once seemed to have a contract but it turns out to be invalid; The resulting claim of unjust enrichment seeks to recover the defendant's gains. 3. The area of law dealing with unjustifiable benefits of this kind.

[Black's Law Dictionary, Eleventh Edition, pp. 1849-1850]

The U.S. Supreme Court describes the concept of unjust enrichment in the context of taxation as follows by calling it "indebitatus assumpsit", meaning an "assumed debt" on your part. The obligation it calls "quasi-contractual":

1 *“Even if the judgment is deemed to be colored by the nature of the obligation whose validity*
2 *it establishes, and we are free to re-examine it, and, if we find it to be based on an*
3 *obligation penal in character, to refuse to enforce it outside the state where rendered, see*
4 *Wisconsin v. Pelican Insurance Co., 127 U.S. 265, 292, et seq. 8 S.Ct. 1370, compare*
5 *Fauntleroy v. Lum, 210 U.S. 230, 28 S.Ct. 641, still the obligation to pay taxes is not penal.*
6 **It is a statutory liability, quasi contractual in nature, enforceable, if there is no exclusive**
7 **statutory remedy, in the civil courts by the common-law action of debt or indebitatus**
8 **assumpsit. United States v. Chamberlin, 219 U.S. 250, 31 S.Ct. 155; Price v. United States,**
9 **269 U.S. 492, 46 S.Ct. 180; Dollar Savings Bank v. United States, 19 Wall. 227; and see**
10 **Stockwell v. United States, 13 Wall. 531, 542; Meredith v. United States, 13 Pet. 486, 493.**
11 **This was the rule established in the English courts before the Declaration of**
12 **Independence. Attorney General v. Weeks, Bunbury’s Exch. Rep. 223; Attorney General**
13 **v. Jewers and Batty, Bunbury’s Exch. Rep. 225; Attorney General v. Hatton, Bunbury’s**
14 **Exch. Rep. [296 U.S. 268, 272] 262; Attorney General v. —, 2 Ans.Rep. 558; see**
15 **Comyn’s Digest (Title ‘Dett,’ A, 9); 1 Chitty on Pleading, 123; cf. Attorney General v.**
16 **Sewell, 4 M.&W. 77. “**
17 **[Milwaukee v. White, 296 U.S. 268 (1935)]**

18 Therefore, in all unjust enrichment scenarios, someone is offering PROPERTY or SERVICES (which is also property) as a
19 Merchant which cost money to produce or deliver and are implicitly NOT free. Although the property or services don’t come
20 to you with a price schedule and they don’t specifically identify themselves as a Merchant, the courts inevitably will refer to
21 the person offering as a Merchant and you as a Buyer under the U.C.C. You will therefore be treated AS IF you were Buyer
22 under the Uniform Commercial Code (UCC) whether you know it or not and whether you wanted to be or not. By the
23 government merely making the property or services available to you as a Buyer to ASK for on a government application
24 constitutes an OFFER in commerce, and you applying for or accepting the property or sometimes even being ELIGIBLE to
25 receive it constitutes an acceptance. The above scenario is sometimes referred to as:

- 26 1. Implied consent.
- 27 2. Quid pro quo.
- 28 3. Tacit procuration.
- 29 4. Sub silentio.
- 30 5. Excise taxable privilege.

31 So there is an INVISIBLE (in most cases) and IMPLIED commercial process at work whenever you deal with the government
32 and ask them for their property, services, or privileges, whether they expressly communicate that to you or not. The U.S.
33 Supreme Court even identified this as a “concession”. A “concession” is a process where someone is SELLING something
34 to you and BY YOUR ACTIONS ALONE YOU BECOME A BUYER from a legal perspective:

35 *“The compensation which the owners of property, not having any special rights or privileges*
36 *from the government in connection with it, may demand for its use, or for their own services*
37 *in union with it, forms no element of consideration in prescribing regulations for that*
38 *purpose.*

39 [. . .]

40 *“It is only where some right or privilege [which are GOVERNMENT PROPERTY] is*
41 *conferred by the government or municipality upon the owner, which he can use in*
42 *connection with his property, or by means of which the use of his property is rendered more*
43 *valuable to him, or he thereby enjoys an advantage over others, that the compensation to be*
44 *received by him becomes a legitimate matter of regulation. Submission to the regulation of*
45 *compensation in such cases is an implied condition of the grant, and the State, in exercising*
46 *its power of prescribing the compensation, only determines the conditions upon which its*
47 *concession shall be enjoyed. When the privilege ends, the power of regulation ceases.”*
48 **[Munn v. Illinois, 94 U.S. 113 (1876)]**

49 Unjust enrichment is an equitable and common law principle. That means it applies EQUALLY to EVERYONE, not just the
50 government. NO ONE can use it unless EVERYONE can use it. This also means that you CAN and even SHOULD use it
51 against the government, and especially when they are trying to use it against you to justify or defend their authority to enforce

1 against you. This approach is an implementation of the Sun Tzu proverbs of war, which say that you can defeat your enemy
2 by using their greatest strength against them.

3 SEDM gives a high level overview on the opening page of their site about the above conundrum that most people often
4 UNKNOWINGLY volunteer for with the following succinct summary of how it operates:

5 *People of all races, genders, political beliefs, sexual orientations, and nearly all religions*
6 *are welcome here. All are treated equally under REAL “law”. The only way to remain truly*
7 *free and equal under the civil law is to avoid seeking government civil services, benefits,*
8 *property, special or civil status, exemptions, privileges, or special treatment. All such*
9 *pursuits of government services or property require individual and lawful consent to a*
10 *franchise and the surrender of inalienable constitutional rights AND EQUALITY in the*
11 *process, and should therefore be AVOIDED. The rights and equality given up are the*
12 *“cost” of procuring the “benefit” or property from the government, in fact. Nothing in life*
13 *is truly “free”. Anyone who claims that such “benefits” or property should be free and*
14 *cost them nothing is a thief who wants to use the government as a means to STEAL on his*
15 *or her behalf. All just rights spring from responsibilities/obligations under the laws of a*
16 *higher power. If that higher power is God, you can be truly and objectively free. If it is*
17 *government, you are guaranteed to be a slave because they can lawfully set the cost of their*
18 *property as high as they want as a Merchant under the U.C.C. If you want it really bad*
19 *from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO*
20 *constitutional limits on the price government can charge for their monopoly services or*
21 *property. Those who want no responsibilities can have no real/PRIVATE rights, but only*
22 *privileges dispensed to wards of the state which are disguised to LOOK like unalienable*
23 *rights. Obligations and rights are two sides of the same coin, just like self-ownership and*
24 *personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22.*
25 *For the reason God answered Samuel by telling him to allow the people to have a king,*
26 *read Deut. 28:43-51, which is God’s curse upon those who allow a king above them. Click*
27 *Here for a detailed description of the legal, moral, and spiritual consequences of violating*
28 *this paragraph.*
29 *[SEDM Website Opening Page; <http://sedm.org>]*

30 Essentially then, the entire income tax system operates entirely under equity, is not expressly authorized by the constitution,
31 and abuses “benefits” and “franchises” to unconstitutionally invade the states in violation of the Article 4, Section 4 of the
32 Constitution:

33 *“Thus, Congress having power to regulate commerce with foreign nations, and among the*
34 *several States, and with the Indian tribes, may, without doubt, provide for granting*
35 *coasting licenses, licenses to pilots, licenses to trade with the Indians, and any other*
36 *licenses necessary or proper for the exercise of that great and extensive power; and the*
37 *same observation is applicable to every other power of Congress, to the exercise of which*
38 *the granting of licenses may be incident. All such licenses confer authority, and give rights*
39 *to the licensee. But very different considerations apply to the internal commerce or*
40 *domestic trade of the States. Over this commerce and trade Congress has no power of*
41 *regulation nor any direct control. This power belongs exclusively to the States. No*
42 *interference by Congress with the business of citizens transacted within a State is*
43 *warranted by the Constitution, except such as is strictly incidental to the exercise of powers*
44 *clearly granted to the legislature. The power to authorize a business within a State is*
45 *plainly repugnant to the exclusive power of the State over the same subject. It is true that*
46 *the power of Congress to tax is a very extensive power. It is given in the Constitution, with*
47 *only one exception and only two qualifications. Congress cannot tax exports, and it must*
48 *impose direct taxes by the rule of apportionment, and indirect taxes by the rule of*
49 *uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at*
50 *discretion. But, it reaches only existing subjects. **Congress cannot authorize a trade or***
51 ***business within a State in order to tax it.**“*
52 *[[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 \(1866\)](#)]*

53 The advantage you have in your favor when you invoke this process against the government is that:

1. Most of the money the government spends is actually just PRINTED or BORROWED into existence. There is no “benefit” to you in them doing that and a LOT of injury to future generations who will have to foot the bill to service that debt.
2. The government ALWAYS charges WAY more for their property and services than it costs to deliver them. This is because they have to ADD the cost of the borrowing and printing of money spent on things OTHER than the “benefit” that often aren’t even constitutionally authorized. Thus, the UNAUTHORIZED spending usually dwarfs the cost of the actual “benefit” they DO deliver.
3. The inflation they invoke by printing the money erodes the actual benefit received, which often isn’t received until DECADES after it is paid for, as in the case of Social Security.
4. Most of the money the government spends is for service on the national debt. It doesn’t in actuality pay for the delivery of the product or service you are often seeking. This was one of the principles established by Ronald Reagan’s Grace Commission Report.
5. The time period for which a tax owes almost NEVER overlaps with WHEN the benefit or service is actually delivered. Thus, no matter what time period you are talking about, if you attempted to equitably BALANCE the cost with the payment, the government would ALWAYS lose in the accounting process and thereby ultimately be the ONLY party who in actuality would actually engage in an “unjust enrichment”.
6. Any calculations that might be done to reconcile the account under equitable principles must consider the Net Present Value adjusted for inflation of what was contributed and what is actually paid. The government always loses on that accounting as well, because their money printing in effect behaves as a INVISIBLE tax. That “tax” should be accounted for in the calculations as well in order to be truly equitable.
7. The government corruptly tries to deny their responsibility under rules of equity by invoking sovereign immunity unlawfully. It is unlawful because all their powers are delegated by THE SOVEREIGN people and you can’t delegate it unless YOU have it and can use it against them AS WELL. Thus, the government are HYPOCRITES and elitists who deny the use of unjust enrichment against THEM but want to use it against you.
8. In most cases, the benefit delivered is not even expressly authorized by the written law. Social Security and income tax BOTH are never expressly authorized to be offered or paid in the constitutional state. See Form #06.002. Thus, the government in an unjust enrichment claim is abusing it to BENEFIT from an activity they have NO CONSTITUTIONAL authority to even engage in within the exclusive jurisdiction of a constitutional state. It is also a principal of equity that NO ONE should be allowed to BENEFIT from an unlawful, injurious, or criminal act and the government loses on this one as well.
9. The tax obligation being enforced is often, as in the case of statutory “wages” bundled with other obligations. On this site and [section 4.30 of our Disclaimer](#), we call this “weaponization of the government”. For instance, you can’t earn statutory “wages” under the Social Security Act without ALSO earning “wages” that are taxable under the Internal Revenue Code, even though THAT obligation is not a “benefit”. Thus, you are in effect being asked to pay an ADDITIONAL tax beyond SSI deductions for something that is not literally a “benefit” and which no one in their right mind would ever perceive as a “benefit”

Therefore, if you invoke an equitable proceeding against the government to enforce an unjust enrichment AGAINST THEM, and actually quantify the value they can prove they delivered over the taxing period in question and compare that with what you actually paid for it, THEN NO MATTER WHAT, the government would ultimately and INEVITABLY LOSE and be the only one who actually should pay ANYTHING to ANYONE in that legal proceeding. We prove this in:

Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051

<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

The next section is sample language that Parties agree on to ensure the court and the jury must enforce your right to NOT receive the benefit, privilege, public right, or property of the government that gives rise to the civil obligation being enforced and which does not make you look irresponsible or narcissistic to the jury, but rather RESPONSIBLE, conscientious, and seeking to behave in a respectful and equitable manner that is more likely to help you win your case.

11.4 Mandatory closing statements to the jury relating to this agreement that prove this is NOT an unjust enrichment

“Ladies and gentlemen of the jury, there is no question that all those who consume the services of others should pay for them, including me. This includes both the government as a Merchant offering property and services to me, as well as me offering property and services to the government. Any attempt to apply these principles unequally to either party to this controversy ultimately results in an abuse of you the jury to participate in, condone, and even commit a THEFT on the part of the government. Under principles of the [common law and equity](#), this scenario is called ‘unjust enrichment’, which gives rise to

an implied obligation to always pay for whatever you ask someone else for. If we didn't run the government the government this way, then people could abuse their power to vote and serve on jury duty to use the government as a thief and a Robinhood to equalize OUTCOMES rather than merely OPPORTUNITY and treatment. On this subject, the U.S. Supreme Court has held:

"... A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another. . ."

[U.S. v. Butler, 297 U.S. 1 (1936)]

To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.

Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.

Coulter, J., in Northern Liberties v. St. John's Church, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.' See, also Pray v. Northern Liberties, 31 Pa.St., 69; Matter of Mayor of N.Y., 11 Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon, 27 Ia., 47; Whiting v. Fond du Lac, supra."

[Loan Association v. Topeka, 87 U.S. 655, 20 Wall. 655 (1874)]

This case involves nonpayment of an alleged "tax" for the specific years _____ to _____. A proper accounting under equitable principles requires us to consider the "benefits", services, or property dispensed to me personally by the government over that period with what I actually paid. Any other approach would violate the principles of equity and unjust enrichment and make this jury in an instrument of THEFT.

A "tax", in this case is legally defined by the U.S. Supreme Court as a sum of money that supports ONLY the government or people working in or for the government. That means it cannot be paid to private, constitutionally protected parties in states of the Union, and if it IS, it ceases to be a classical "tax" as legally defined and devolves merely into a purely commercial activity conducted for profit like any private business, in which BOTH parties are treated NOT as a "government" but merely equals under equitable principles under the Clearfield Doctrine of the U.S. Supreme Court.

In the instant case, I have not sought, do not want, and do not want to pay for any "benefit", privilege, or exemption offered by any government. The ability to do so is my right under principles of equity, in fact:

*"Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage."*

*"Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2
Bouv. Inst. n. 1433."*

*Commodum ex injuri su non habere debet.
No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

*Invito beneficium non datur.
No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does
not dissent he will be considered as assenting. Vide Assent.*

Potest quis renunciare pro se, et suis, juri quod pro se introductum est.
A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.

Quilibet potest renunciare juri pro se inducto.
Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.
[Bouvier's Maxims of Law, 1856; SOURCE:
<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.html>]

Paying or rendering a "benefit", property, or service to someone who does not WANT it, has communicated that objection timely to the person offering, and who has identified any attempt to provide it against their will is not as a GRANT of a "benefit" but a GIFT by the provider, cannot therefore produce any equitable obligation whatsoever. Further, it is beyond the authority delegated to me by my principal, who is God under the Bible trust indenture, to ask for, accept, or pay for ANY benefit, property, or civil service that any so-called "government" might attempt to abuse to enslave me to them:

Curses of Disobedience [to God's Laws]

"The alien [Washington, D.C. is legislatively "alien" in relation to states of the Union] who is among you shall rise higher and higher above you, and you shall come down lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve counterfeiting franchise], but you shall not lend to him; he shall be the head, and you shall be the tail.

"Moreover all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the Lord your God, to keep His commandments and His statutes which He commanded you. And they shall be upon you for a sign and a wonder, and on your descendants forever.

"Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for the abundance of everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [franchise codes] on your neck until He has destroyed you. The Lord will bring a nation against you from afar [the District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation whose language [LEGALESE] you will not understand, a nation of fierce [coercive and fascist] countenance, which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public FOOL system]. And they shall eat the increase of your livestock and the produce of your land [with "trade or business" franchise taxes], until you [and all your property] are destroyed [or STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until they have destroyed you. [Deut. 28:43-51, Bible, NKJV]

**"The rich rules over the poor,
And the borrower is servant to the lender."
[Prov. 22:7, Bible, NKJV]**

When a government actor is sued for wrongdoing under the constitution, they can only be sued if the Plaintiff can prove they acted outside their delegated authority of their "principal" and "employer", the U.S. Inc. federal corporation. The same principle applies here, except that the Plaintiff is a de facto government and the principal is different because MY principal, being God, is superior to that of any government. In the capacity of this proceeding, I am acting as an agent and fiduciary of God 24 hours a day, 7 days a week and have not stepped out of the protections of the Bible trust indenture that is my delegation of authority order, as documented in:

Delegation of Authority Order from God to Christians, Form #13.007
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

My delegation of authority order also forbids me from seeking the protection of anything but His laws, the common law, the criminal law, and the Constitution and NEVER the civil statutory franchise protection contract called “domicile”, as proven in:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

Therefore, we must settle this matter under equitable rather than civil statutory terms, and to treat both parties absolutely equally. A failure by you the jury or this court will have the practical effect of turning the government into an unconstitutional civil religion in violation of the First Amendment, make the judge into the priest, make you into the apostle of the priest, make this courtroom into a church, make the attorneys into deacons of the church, and impute or enforce superior and supernatural powers to a [collective corporation called “U.S. Inc” \(Form #05.024\)](#) that I as the natural am not allowed to have. That unlawful establishment of religion in violation of the First Amendment is documented below in:

Socialism: The New American Civil Religion, Form #05.016
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>

Over the tax period in question, a deduction of what I received from what I paid results in a net negative balance to the government. That means under principles of equity that:

1. The government has no standing to sue, because they cannot demonstrate an actual injury.
2. The government is the only one in this case engaging in “unjust enrichment”.
3. The government is the ONLY one receiving a net “benefit” or privilege from ME rather than the other way around. In that scenario, I am the only “Merchant” under the U.C.C. and I am the ONLY one who can define the terms of my offer of the privilege involved as its absolute owner. See:

Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051
<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

4. The government has a moral and implied legal duty to correct this inequity by paying me the DIFFERENCE to me as a Merchant offering MY property, services, and “benefits” to them.

Since I am the only Merchant involved in this interaction offering property for sale, I am the ONLY one allowed to write the terms of procuring my services. Those terms are documented below:

Injury Defense Franchise and Agreement, Form #06.027
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>

Further, the so-called “benefits” being enforced in this case cannot even lawfully be offered or enforced within a constitutional state of the union as described in:

1. Why You Aren’t Eligible for Social Security, Form #06.001
<https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf>
2. Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

It is a maxim of law and equity that one should not be allowed to “benefit” from illegal, injurious, or non-consensual acts against anyone. Thus, there is NO BENEFIT whatsoever delivered by the government to me AT ALL. Further, it is a crime for the government to try to BRIBE me illegally to create an office with a bribe of “benefits” that are not lawfully available to me. See [18 U.S.C. §§201](#) and [210](#), and [18 U.S.C. §912](#).

Therefore, you, the jury and this court have a moral obligation to:

1. Dismiss the government’s action against me.
2. Sanction them for the criminal and illegal and even unconstitutional conduct in this case per the terms of the above agreement, Form #06.027 equitably governing this relationship.

12 Rights acquired by Protected Party Against Government Actor

Parties acquire the following private rights and private property against the other party under the terms of this franchise and agreement.

12.1 Return of Any and all Property of Protected Party Acquired by Government Actor or his Employer

Government Actor agrees to be responsible to return any and all property of Protected Party acquired through enforcement or collection activity of any government franchise by either the Government Actor or his/her employer. Property must be returned within 30 days upon receipt and upon written notice to the Government Actor. Failure to return property of Protected Party collected by Government Actor or his/her Employer shall incur a financial liability of TEN TIMES the value of said property.

Parties agree that any and all property of Protected Party collected by the Government Actor or his/her employer:

1. Shall be characterized as a temporary grant or loan AT INTEREST by Protected Party to Government Actor.
2. Shall make the property custodian into a bailee and transferee over property of Protected Party. This is similar to how the Internal Revenue Code works, in which all "taxpayers" are, in fact, public officers and transferees over public property per 26 U.S.C. §6901.
3. Shall subject any and all government custodians of the loaned property into agents and officers and consenting parties under this agreement. Government Actor agrees to give timely notice of the existence of this agreement to any and all OTHER Government Actors who may be in temporary possession of property of the Protected Party.

Protected Party shall have the authority to exercise any and all means necessary to secure the return of his/her/its property under this section as indicated later in section 12.8. This includes, but is not limited to, filing non-judicial liens against Government Actor to include both administrative notices and U.C.C. 1 Financing Statements, with both the county recorder and the secretary of state.

Authority for this provision of law is the SAME authority as that used in the issuance of Social Security Cards. The Card itself and the regulations thereunder at 20 C.F.R. §422.103(d) both confirm that even after the card is sent to someone, it continues to be government property, and that possession and use of said card is the authority for instituting penalties and subjecting the applicant to the regulations governing Social Security. The following additional authority confirms this:

*"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.**"*

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

Parties to this agreement also stipulate that any use of identifying numbers in connection with their relationship shall NOT mean any number issued under the authority of any federal statute, but instead shall be the license issued from the Protected Party to the Government Actor under the authority of this agreement. This includes "Taxpayer Identification Numbers", "Social Security Numbers", etc.

12.2 Agency Established

This agreement establishes agency on the part of both parties in relation to the other party in delivering the consideration promised by the agreement. This agency supersedes any and all other agency exercised by either party. In the case of the Government Agent, that agency shall be referred to as an "anti-public office" under the terms of this anti-franchise franchise.

12.3 Waiver of Full Payment Rule, Anti-Injunction Act, Exceptions to Declaratory Judgment Act, Need to Exhaust Administrative Remedies, and ability to remove to Federal Court

For the purposes of this interaction, the parties stipulate that all of the following ordinary requirements are waived for the purposes of their interactions in administering this agreement:

1. The Anti-Injunction Act, 26 U.S.C. §7421, does not apply to the recovery of any damages or property by the Protected Party against Government Actor. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 4.1.13 earlier for the definition of "taxes".
2. The exceptions to the Declaratory Judgments Act, 28 U.S.C. §2201 relating to taxation do not apply to the settlement of any disputes between the parties. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 4.1.13 earlier for the definition of "taxes".
3. The Full Payment Rule established in [Flora v. United States, 357 U.S. 63, 78 S.Ct. 1079, 2 L.Ed.2d. 1165 \(1958\)](#) and described in [Laing v. U.S., 423 U.S. 161, 96 S.Ct. 473 \(U.S.Ky. 1976\)](#) does not apply. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 4.1.13 earlier for the definition of "taxes".
4. The requirement to exhaust administrative remedies do not apply to the Protected Party in suits against the Government Actor. This only administrative remedy available to a non-resident non-person not subject to the exclusive jurisdiction of Congress is to notify them to return absolutely owned private property or its equivalent value STOLEN by Government Actor. This document accomplishes that. Beyond that constitutionally required reasonable notice, suit can immediately commence against Government Actor.
5. Government Actor also agrees per this agreement NOT to remove any suit brought against him or her or it to a federal court if it was first filed in a state court by the Protect Party. If Government Actor files a Notice of Removal, that notice shall be interpreted as a stipulation to agree to everything in the complaint filed against him or her or it in the state court and a demand for summary judgment.

Any similar statutes or court doctrines which operate similar to the above at the state level are also to be treated the SAME for the purposes of this agreement.

12.4 Information about Protected Party is PRIVATE Property Subject to Non-Disclosure

Any and all information about Protected Party shall be considered private property which shall:

1. Not be subject to retention by not subject to disclosure to any government.
2. Not be shared outside the agency which received it.
3. Shall be purged in its entirety from all government records upon written notice and demand sent by Protected Party to either Government Actor or his/her employer.
4. May not be employed for any purpose which could directly or indirectly benefit Government Actor financially, or his/her employer.

12.5 Waiver of Government Agency, Official, and Judicial Immunity on the Part of Government Actor

Parties stipulate that their duty and allegiance to abide by this agreement is *superior to* their employment duties and any other agency they may claim to be exercising on behalf of any other entity or government. All parties to this agreement hereby

perpetually waive judicial, sovereign, or official immunity associated with any government position or agency they may otherwise occupy in the context of enforcing any provision of this franchise and/or agreement.

Protected Party shall have witness immunity pursuant to [18 U.S.C. §6002](#) for all interactions with any government.

Parties hereby stipulate to grant the SAME sovereign immunity to the Protected Party as the government asserts in any litigation between either the recipient or the government and the Protected Party pursuant to the Foreign Sovereign Immunities Act, [28 U.S.C. §1603](#) et seq.

12.6 Waiver of Sovereign Immunity

Parties stipulate the following facts and agreements affecting sovereign immunity under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97:

1. The parties stipulate that everything in the following documents relating to civil franchises is true:
 - 1.1. *Government Franchises Course*, Form #12.012
<https://sedm.org/Forms/FormIndex.htm>
 - 1.2. *Government Instituted Slavery Using Franchises*, Form #05.030
<https://sedm.org/Forms/FormIndex.htm>
2. The United States government is not exempted from the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97, for the purposes of their interactions with states of the Union.
3. Any attempt to offer or enforce any kind of civil franchise within a constitutional state is an attempt to alienate PRIVATE rights that the Declaration of Independence says are UNALIENABLE, meaning that those who possess them are legally incapable of consenting to surrender them to a real de jure government. See Form #05.043.
4. Any attempt to offer or enforce any kind of civil franchise within a constitutional state is stipulated to be strictly commercial activity that results in a waiver of sovereign immunity.
5. The ONLY place where civil franchises can lawfully be offered WITHOUT alienating rights that are unalienable is:
 - 5.1. Among those domiciled and physically present abroad.
 - 5.2. Among those domiciled on federal territory where the protections of the Constitution do not apply.For details on the above, see:

Unalienable Rights Course, Form #12.038
<https://sedm.org/Forms/FormIndex.htm>
6. The following subject matters are commercial franchises subject to waiver of sovereign immunity by the national government in relation to the states of the Union:
 - 6.1. Social Security. See

Why You Aren't Eligible for Social Security, Form #06.001
<https://sedm.org/Forms/FormIndex.htm>
 - 6.2. Income tax. See:

The "Trade or Business" Scam, Form #05.001
<https://sedm.org/Forms/FormIndex.htm>
 - 6.3. Driver licensing compacts between the states. See Form #06.010.
 - 6.4. Disability insurance.
 - 6.5. Medicare.
7. Government identifying numbers including but not limited to Social Security Numbers and Taxpayer Identification Numbers:
 - 7.1. Are what the Federal Trade Commission (F.T.C.) calls a "franchise mark":

"...a commercial business arrangement is a "franchise" if it satisfies three definitional elements. Specifically, the franchisor must:

- (1) promise to provide a trademark or other commercial symbol;*
 - (2) promise to exercise significant control or provide significant assistance in the operation of the business; and*
 - (3) require a minimum payment of at least \$500 during the first six months of operations."*
- [FTC Franchise Rule Compliance Guide, May 2008, p. 1;*
SOURCE: <http://business.ftc.gov/documents/bus70-franchise-rule-compliance-guide/>

- 1 7.2. Are property of the government issuer.
2 7.3. Because they are property, the issuer is liable in state court for their use in alienating, converting to public, or
3 damaging any constitutional or PRIVATE right. This is a consequence of the same criteria applied by the
4 government against private companies called “product liability”.
5 7.4. Anyone using or benefitting in any way from the use of said numbers is a Government Actor and a public officer.
6 The definition of “public office” confirms that a public officer is someone in charge of the property of the public,
7 including government identifying numbers.

8 *“Public office. The right, authority, and duty created and conferred by law, by which for*
9 *a given period, either fixed by law or enduring at the pleasure of the creating power, an*
10 *individual is invested with some portion of the sovereign functions of government for the*
11 *benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the*
12 *state, the duties of which involve in their performance the exercise of some portion of the*
13 *sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R.*
14 *1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377,*
15 *214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex*
16 *rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where, by*
17 *virtue of law, a person is clothed, not as an incidental or transient authority, but for such*
18 *time as de- notes duration and continuance, with Independent power to control the*
19 *property of the public, or with public functions to be exercised in the supposed interest of*
20 *the people, the service to be compensated by a stated yearly salary, and the occupant*
21 *having a designation or title, the position so created is a public office. State v. Brennan,*
22 *49 Ohio.St. 33, 29 N.E. 593.*
23 *[Black’s Law Dictionary, Fourth Edition, p. 1235]*

- 24 7.5. Because private and constitutional rights are unalienable within a constitutional state, any use of government
25 identifying numbers to alienate private or constitutional rights shall be deemed:
26 7.5.1. Private commercial activity by the government.
27 7.5.2. Not consensual on the part of the non-governmental party using said number. This is especially true if the
28 status of the number cannot be changed to reflect the fact that the participant is NOT a franchisee or a public
29 officer and is immune from the civil jurisdiction of the national government under the terms of any and
30 every civil franchise.
31 7.5.3. Not within the delegated authority of the Government Actor requesting or compelling their use. Therefore
32 28 U.S.C. §2679 does NOT apply and the Department of Justice has NO delegated authority to determine
33 otherwise.
34 7.5.4. A criminal attempt to solicit a bribe to a Government Actor to treat the otherwise private party compelled to
35 use them as a de facto public officer in criminal violation of 18 U.S.C. §§210 and 211.
36 7.5.5. A criminal attempt to tamper with a witness, because most government forms have perjury statements and
37 are signed under penalty of perjury and constitute testimony of a witness. A failure to use a number on a
38 government form or a refusal to accept a form without a number is tampering with the witness by
39 compelling them to procure a public office in order to have their form accepted or processed. 18 U.S.C.
40 §1512.
41 7.5.6. Not a government function but an ANTI-GOVERNMENT function of a de facto government. See:

De Facto Government Scam, Form #05.043
<https://sedm.org/Forms/FormIndex.htm>

- 42 8. Any attempt to offer or enforce taxable or regulatable civil franchises within states of the Union is stipulated by the
43 parties to be an “invasion” within the meaning of Article 4, Section 4 of the United States Constitution:

44 *United States Constitution*
45 *Section 4. Obligations of United States to States*

46 *The United States shall guarantee to every State in this Union a Republican Form of*
47 *Government, and shall protect each of them against Invasion; and on Application of the*
48 *Legislature, or of the Executive (when the Legislature cannot be convened) against*
49 *domestic Violence.*

The first and most important function of any government is to maintain a perpetual and inviolable separation between PUBLIC and PRIVATE. All of the above criminal tactics by de facto Government Actors break down that separation, as described in:

Separation Between Public and Private Course, Form #12.025

<https://sedm.org/Forms/FormIndex.htm>

12.7 Presumptions Established and Stipulated by All Parties

For the purposes of any dispute relating to this or any other government franchise or civil law:

1. Parties stipulate that any attempt to enforce this agreement by Protected Party and against the Government Actor shall NOT be classified and IS NOT classified as:
 - 1.1. Criminal obstruction of justice of any kind.
 - 1.2. Any form of witness tampering, if the Government Actor is a witness in the action.Any claim to the contrary by Government Actor or any third party is hereby stipulated by parties to this agreement to be FALSE, PERJURIOUS, and FRAUDULENT. If any government attempts to prosecute the above types of crimes against the Protected Party and in conflict with the above, then the Government Actor agrees to become the substitute Defendant in such an action and hold the Protected Party harmless..
2. All parties shall be presumed to be innocent until proven guilty with physical evidence and not presumption. This means that they are presumed to be all the following until evidence of consent to acquire a different status is introduced on the record of the proceeding:
 - 2.1. “nontaxpayer” and other than a statutory “taxpayer” per 26 U.S.C. §7701(a)(14).
 - 2.2. “national” under 8 U.S.C. §1101(a)(21) but not a statutory “citizen” under 8 U.S.C. §1401.
 - 2.3. Equal in every respect in rights in relation to every state and federal government until evidence of consent to become UNEQUAL is established on the record of the proceeding.
3. All government tax forms sent by Protected Party to Government Agent and/or his employer shall be subject to the terms and conditions described in the following form and the definitions appearing in section 0 earlier:

Tax Form Attachment, Form #04.201

<http://sedm.org/Forms/FormIndex.htm>

4. All parties are presumed to be equal under the law with the following exceptions:
 - 4.1. Parties may only become UNEQUAL through their EXPRESS WRITTEN CONSENT.
 - 4.2. All parties are human beings protected by the Bill of Rights and state Constitutions. Government as an artificial being has no constitutional rights.
 - 4.3. All parties have no delegated authority to consent to government franchises and therefore may not have any government franchise enforced against them in the context of these proceedings. Even written evidence of an application shall not constitute consent. Franchises include income tax, Social Security, Medicare, Unemployment insurance, government healthcare, driver’s licenses, marriage licenses, vehicle registration, contractor’s licenses, and professional licenses.
5. Any right or method of acquiring rights asserted by any government shall also be possessed by all parties to this agreement. For instance:
 - 5.1. If the government claims the right to assert sovereign, judicial, or official immunity, then parties shall also have the same right as an officer and fiduciary of God’s government and his family’s government under the Holy Bible trust indenture and the family private articles of incorporation.
 - 5.2. If the government claims the right to allow third parties to elect either party into a public office within a franchise without the express written consent of the Party, then that Party retains the same right against the government and all parties representing the government as individual human beings. An example of this phenomenon is the filing of information returns such as IRS Forms W-2, 1042-S, 1098, and 1099.
 - 5.3. If the government claims the right to reclassify his/her speech from nonfactual to factual and actionable, then the Parties shall have the same right and may classify the court’s orders or the statements of government as nonfactual, political, and IRRELEVANT.
 - 5.4. If the government alleges or asserts any of the following, then the Parties assert the same EQUAL right to make the government into a consenting party and therefore “resident” under this franchise.
 - 5.4.1. That the Protected Party is a “resident” or “citizen” under any federal or state law.
 - 5.4.2. That the Protected Party “purposefully availed” themselves of commerce within the jurisdiction of any federal or state court.
 - 5.4.3. That the Protected Party availed themselves of any alleged commercial “benefit” or privilege offered by any government.

5.4.4. Government or court or judge redefines any word within used by the Protected Party on any government form or commercial correspondence to mean anything OTHER than that expressly defined here.

6. The declared nationality and domicile status declared by either party shall not be challenged or disputed by the other party. It shall be presumed to be accurate, correct, and conclusive as they declare it.
7. All property of the Protected Party shall be presumed to be absolutely owned PRIVATE property until evidence is introduced into the record that:
 - 7.1. The Protected Party, IN WRITING, expressly consented to donate said private property to a public use, public purpose, and public office in the mode that he/she/it and not the court or the opposing party, specifies. . .AND
 - 7.2. The Protected Party was domiciled outside of land protected at the time he or she or it consented. Rights protected by the Constitution are unalienable, according to the Declaration of Independence, and therefore one CANNOT lawfully consent to give them away.
8. All human beings shall be presumed to be sovereign and not amenable to civil suit or judgment under anything other than the common law and the constitution. Human beings are the fountain and source of ALL political and legal power in the American form of government, as declared by the U.S. Supreme Court. If the other party to the litigation is the government, then:
 - 8.1. The government must prove that the Protected Party EXPRESSLY CONSENTED to suit IN WRITING in the mode that he and not the court specifies.
 - 8.2. No implied contracts may be presumed.
 - 8.3. No right documented in the state or federal constitutions may be contracted away, alienated, or surrendered, even with the consent of the Protected Party, because all such rights are identified in the Declaration of Independence as "unalienable", meaning that they cannot lawfully be sole, bargained away, or transferred in relation to a REAL, de jure government.
9. Protected Party is a Christian who is acting as an agent, fiduciary, and trustee over God's property, which is him/her self and all the Earth, and has no delegated authority to either contract or consent to contract with any Earthly government.

*"Do you not know that friendship with the world is enmity with God? **Whoever therefore wants to be a friend ["citizen", "resident", "taxpayer", "inhabitant", or "subject" under a king or political ruler] of the world [or any man-made kingdom other than God's Kingdom] makes himself an enemy of God.**"*
[James 4:4, Bible, NKJV]

"You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their gods [under contract or agreement or franchise], it will surely be a snare to you."
[Exodus 23:32-33, Bible, NKJV]

*"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and **to keep oneself unspotted from the world [the obligations and concerns of the world].**"*
[James 1:27, Bible, NKJV]

*"You shall have no other gods [including political rulers, governments, or Earthly laws] before Me [or **My commandments**]."*
[Exodus 20:3, Bible, NKJV]

*"Then all the elders of Israel gathered together and came to Samuel [the priest in a Theocracy] at Ramah, and said to him, 'Look, you [the priest within a theocracy] are old, and your sons do not walk in your ways. **Now make us a king [or political ruler] to judge us like all the nations [and be OVER them]'**."*

1 "But the thing displeased Samuel when they said, 'Give us a king [or political ruler] to
2 judge us.' So Samuel prayed to the Lord. And the Lord said to Samuel, 'Heed the voice
3 of the people in all that they say to you; for they have rejected Me [God], that I should
4 not reign over them. According to all the works which they have done since the day that I
5 brought them up out of Egypt, even to this day—with which they have forsaken Me [God
6 as their ONLY King, Lawgiver, and Judge] and served other gods—so they are doing to
7 you also [government or political rulers becoming the object of idolatry]."
8 [[1 Sam. 8:4-8](#), Bible, NKJV]
9

10 "Do not walk in the [statutes of your fathers](#) [the heathens], nor observe their judgments,
11 nor defile yourselves with their [pagan government] idols. I am the LORD your God: Walk
12 in [My statutes](#), keep My judgments, and do them; hallow My Sabbaths, and they will be a
13 sign between Me and you, that you may know that I am the LORD your God."
14 [[Ezekial 20:10-20](#), Bible, NKJV]
15

16 "And have no fellowship [or association] with the unfruitful works of [government]
17 darkness, but rather reprove [rebuke and expose] them."
18 [[Eph. 5:11](#), Bible, NKJV]
19

20 "But if you are led by the Spirit, you are not under the law [man's law]."
21 [[Gal. 5:18](#), Bible, NKJV]
22

23 "Shall the throne of iniquity [the U.S. Congress and the federal judiciary], which devises
24 evil by [obfuscating the] law [to expand their jurisdiction and consolidate all economic
25 power in their hands by taking it away from the states], have fellowship with You? They
26 gather together against the life of the righteous, and condemn innocent blood [of
27 "nontaxpayers" and [persons outside their jurisdiction](#), which is an act of extortion and
28 racketeering]. But the Lord has been my defense, and my God the rock of my refuge. He
29 has brought on them their own iniquity, and shall cut them off in their own wickedness; the
30 Lord our God [and those who obey Him and His word] shall cut them off [from power
31 and from receiving illegal bribes cleverly disguised by an obfuscated law as legitimate
32 "[taxes](#)"]."
33 [[Psalm 94:20-23](#), Bible, NKJV. QUESTION FOR DOUBTERS: Who else BUT Congress
34 and the judiciary can devise "evil by law"?]
35

36 "Come out from among them [the unbelievers and government idolaters]
37 And be separate, says the Lord.
38 Do not touch [or contract with] what is unclean,
39 And I will receive you.
40 I will be a Father to you,
41 And you shall be my sons and daughters,
42 Says the Lord Almighty."
43 [[2 Corinthians 6:17-18](#), Bible, NKJV]
44

45 "Nevertheless, God's solid foundation stands firm, sealed with this inscription: 'The Lord
46 knows those who are His,' and, 'Everyone who confesses the name of the Lord must turn
47 away from [not associate with or subsidize] wickedness [wherever it is found, and
48 especially in government].' "
49 [[2 Tim. 2:19](#), Bible, NKJV]

50 Not "walking in the statutes of your fathers" means not participating in government franchises or statutory law that is
51 for GOVERNMENT and its officers only, but rather proceeding ONLY under the common law and in EQUITY. The

government does the same thing, wherein it asserts “sovereign immunity” and requires “express written consent to be sued” before a suit against it can be entertained.

The above are the same requirements that governments impose upon those who wish to sue it/them.

12.8 Enforcement Authority of Protected Party Against Government Actor

Government Actor consents to allow Protected Party or his agents or assigns to take any one or more of the following actions to enforce this franchise and agreement for any liabilities which might result from violations of the franchise and agreement:

1. File an administrative lien upon real property owned by Government Actor in the county recorder of any county.
2. Place a UCC lien against the name of Government Actor in one or more states of the Union.
3. Make withdrawals from any and all financial accounts in the name of the Government Actor.
4. Place an administrative lien against the government pay and benefits of the Government Actor.

Legal evidence of authority to take any of the enforcement above actions indicated above shall consist in the presentation all of the following proofs:

1. Receipt of correspondence signed by the Government Actor or indicating the name of the Government Actor.
2. Presentation of a Certificate of Service showing that this signed agreement was served upon the Government Actor.

12.9 Issues not subject to dispute, default answers stipulated

Government Actor agrees not to accuse Protected Party of making or relying upon any of flawed arguments identified in the following publications or raise them as an issue in any dispute between the parties:

1. *Policy Document: Rebutted False Arguments Against This Website*, Form #08.011
<http://sedm.org/Forms/FormIndex.htm>
2. *Policy Document: Rebutted False Arguments About Sovereignty*, Form #08.018
<http://sedm.org/Forms/FormIndex.htm>
3. *Flawed Tax Arguments to Avoid*, Form #08.004
<http://sedm.org/Forms/FormIndex.htm>
4. *Rebutted Version of the IRS “The Truth About Frivolous Tax Arguments”*, Form #08.005
<http://sedm.org/Forms/FormIndex.htm>
5. *Rebutted Version of “Tax Resister Frequently Asked Questions”*, Form #08.007
<http://sedm.org/Forms/FormIndex.htm>
6. *Rebutted Version of CRS Report 97-59A: “Frequently Asked Questions Concerning the Federal Income Tax”*, Form #08.006
<http://sedm.org/Forms/FormIndex.htm>

Parties stipulate that any allegation about Protected Party that is inconsistent with any of the above shall be interpreted as actionable fraud and slander.

Government Actor agrees not to impute or allege any obligation to any government or de facto government on the part of Protected Party, including any government, that the Protected Party did not expressly request and consent to in writing in the manner that Protected Party and no one else specifies.

Government Actor furthermore stipulates to the default answer to any and all admissions provided at the end of the Memorandums of Law appearing in the following:

<i>SEDM Forms Page</i> , Section 1.5, Memorandums of Law http://sedm.org/Forms/FormIndex.htm

Government Actor may dispute the default answer to any of the above by providing evidence consistent with that permitted under this agreement.

12.10 Authority conferred by Government Actor upon Protected Party

1. Government Actor delegates exclusive authority to Protected Party to declare and determine whether any government franchise or private law to which Protected Party is alleged to be a party is in fact a “benefit”. If Protected Party deems that it is not, no provision of the specific franchise may or shall lawfully be enforced against him or her. Such franchises include Social Security, income taxes, Medicare, unemployment compensation, welfare, etc.
2. Power of Attorney to Correct False Information Returns Filed Against Protected Party by Government Actor. Government Actor consents to allow Protected Party of this form to submit corrected information returns to the IRS or state revenue agencies which zero out any report of “trade or business” earnings and to sign said forms under power of attorney from the Government Actor. This includes, but is not limited to IRS Forms W-2C, W-3, 1042-S, 1096, 1098, 1099, and 8300.
3. Power of Attorney to Execute IRS Form 56: Government Actor consents to allow the Protected Party of this form to submit [IRS Form 56](#) on their behalf and under power of attorney, making the Government Actor liable and surety for all debts or obligations created by the unauthorized use, or abuse of information about him in the possession of Government Actor or his/her agents or assigns, including any attempts to use such information for a commercial or governmental purpose. This will make the Government Actor into the target for all collection notices directed at the “public office” fraudulently created by the duress, coercion, and unlawful actions of the Government Actor of this notice. Government Actor waives any right to disclaim liability for the [IRS Form 56](#) so filed and agrees NOT to file an IRS Form 56 making Protected Party of this Notice liable for any of the taxes, debts, or other obligations that arise out of this correspondence, any of the attachments, or any of the alleged obligations that might arise out of the franchise established herein. If Government Actor files an IRS Form 56 to remove responsibility for his unlawful actions, he agrees to reimburse Protected Party for TWICE any monetary damages or injuries sustained by filing such a form.
4. Power of Attorney to Execute IRS Form 8822: Government Actor consents to allow the Protected Party to complete an IRS Form 8822 changing the address to his/her/its address, making the Government Actor liable and surety for collection notices and actions in connection with any tax liabilities that may be enforced against the Protected Party as a consequence of reports, actions, or omissions filed against Protected Party by Government Actor. This will make the Government Actor into the target for all collection notices directed at the “public office” fraudulently created by the duress, coercion, and unlawful actions of the Government Actor of this notice. Government Actor waives any right to disclaim liability for the [IRS Form 8822](#) so filed and agrees NOT to file an IRS Form 8822 making Protected Party of this Notice liable for any of the taxes, debts, or other obligations that arise out of this correspondence, any of the attachments, or any of the alleged obligations that might arise out of the franchise established herein. If Government Actor files an IRS Form 8822 to remove responsibility for his unlawful actions, he agrees to reimburse Protected Party for TWICE any monetary damages or injuries sustained by filing such a form.
5. Limitations upon all litigation between Government Actor and Protected Party:
 - 5.1. Government Actor agrees to allow Protected Party to act on his or her or its behalf under limited power of attorney in the case of any and all litigation in which:
 - 5.1.1. He/she/it is a Plaintiff against Protected Party of the Ministry he or she represents.
 - 5.1.2. He/she/it is a witness or informant in a case involving the Protected Party.
 - 5.2. Government Actor agrees to allow this limited power of attorney to include authority to:
 - 5.2.1. Petition to dismiss any case against the Protected Party.
 - 5.2.2. Complete and submit voluntary payroll withholding forms so as to garnish his pay in satisfaction of liabilities incurred in violating any aspect of this agreement.
 - 5.2.3. Act as an exclusive witness on behalf of the prosecution in any trial directed against the Protected Party or any ministry or other entity to which he is connected or associated as a result of the litigation.
 - 5.2.4. Make withdrawals from the personal financial accounts of the Government Actor to satisfy liabilities incurred in violating this agreement.
 - 5.2.5. Submit resignation papers to the private or government employer of Government Actor.
 - 5.2.6. Accept, cash, and take ownership of payments from Fellowship to the Prosecution for any monetary liabilities resulting from litigation directed against Protected Party or any group or ministry or other efforts he is or may be connected with.
 - 5.3. Government Actor authorizes that this Limited Power of Attorney shall constitute the only authority needed by any receiving court clerk, financial company, employer, or receiving organization in order to effect whatever actions that Protected Party or Ministry deems needful at the time to satisfy the requirements of this agreement. It shall be prima facie good for all intents and purposes without question or delay of any kind.
 - 5.4. Government Actor also agrees that no signature by Government shall be necessary to this contract if Government Actor, as a litigant, quotes anything off of the above website in any litigation pleading he files against Protected Party or his/her associates, agents, or entities he is involved with. All that shall be needed to perfect and authorize Limited Power of Attorney described in this agreement are the following three things:

- 5.4.1. A pleading signed by User mentioning copyrighted information off this website and provided as a certified copy by the clerk of the court where the lawsuit was filed against the Fellowship.
- 5.4.2. This agreement with a signed, notarized signature of Protected Party on this agreement.
- 5.4.3. A printout of the web page where the information quoted in the pleading is indicated, and which shows the web address where obtained and the date downloaded.

12.11 Stipulations regarding communications between Protected Party and Government Actor

1. All Statements Made by Government Actor are Material, Factual, Truthful, and Actionable Under Penalty of Perjury: Pursuant to [18 U.S.C. §1001](#), Materiality, the Government Actor of this form agrees to take complete, private, personal, and exclusive responsibility for the truthfulness and accuracy of the entire content of any correspondence sent by him or her or his or her employer as true, correct, and complete UNDER PENALTY OF PERJURY. This provision thereby circumvents the disclaimer found on the IRS website and makes it of no effect: [Internal Revenue Manual \(I.R.M.\), Section 4.10.7.2.8](#). The Government Actor described in this document as a private party, by virtue of accepting the “benefits” of this franchise, instead agrees to exercise their right to contract under this franchise agreement as a means to make their employer, the IRS, IRRELEVANT and agrees that all correspondence from them or their employer becomes their exclusive, personal, and private responsibility under this contract or agreement. This will prevent judicial tribunals from protecting and rewarding IRS agents and those representing the government such as “withholding agents” from telling lies or untruths to those they are supposed to have a fiduciary duty to help and protect the rights of. Your “trade or business” franchise turns me into a “public officer” without my consent, and likewise, my franchise changes YOU from a public officer into a private individual so you can be sued and have to take personal responsibility for your actions and cannot claim immunity of any kind. What is good for the goose is good for the gander.
2. Consent to recording of all audio conversations. Government Actor consents to recording of all audio communications, including but not limited to IRS summons hearings, examinations, visitations, court appearances, and telephonic communication, and recording mentioned in 26 U.S.C. §7521(a). This correspondence shall also constitute an advanced notification that all such recording shall be done in satisfaction of ten day period identified in 26 U.S.C. §7521. Protected Party is NOT the “taxpayer” mentioned in this statute, however, and is a “nontaxpayer” NOT subject to ANY provision of the Internal Revenue Code, Subtitles A through C.

12.12 Use of Information About Protected Party

Any unauthorized use and especially commercial use of information pertaining to the Protected Party and contained on this form, any attached form, or any information previously submitted to the government is subject to a \$100,000 penalty per incident plus any tax or penalty liability that might result from the unauthorized use of said information. Authority to store or use all such information for any purpose MUST be procured in a writing signed by the Protected Party in advance of the disclosure or it does not exist. Unauthorized uses include:

1. Mailing any kind of notices other than abatement notices.
2. Sharing information with ANY agency or bureau OTHER than the one the Government Actor works for.
3. Performing tax or penalty assessment with the information.
4. Conveying any “benefit” to the Protected Party that might make him/her/it subject to any type of government franchise, license, or “public right”, including but not limited to the following:
 - 4.1. A graduated or reduced rate of tax pursuant to [26 U.S.C. §1](#).
 - 4.2. Earned income credits pursuant to [26 U.S.C. §32](#).
 - 4.3. [“Trade or Business”](#) deductions pursuant to [26 U.S.C. §162](#). I am NOT engaged and never have voluntarily engaged in a “trade or business”, which is defined in [26 U.S.C. §7701\(a\)\(26\)](#) as “the functions of a public office”.
 - 4.4. Treaty benefits under an income tax treaty with a foreign country.
 - 4.5. Any benefit, privilege, or immunity conferred by any provision within the Internal Revenue Code.
 - 4.6. A statutory refund pursuant to any provision within the Internal Revenue Code. There is no provision within the Internal Revenue Code that authorizes refunds of unlawfully withheld taxes or taxes paid under protest of “nontaxpayers” who are not subject to the Internal Revenue Code. All monies paid to the government have been paid ILLEGALLY and UNDER PROTEST and therefore are not as “taxes”. These unlawfully collected monies are therefore due back NOT because of any provision within the Internal Revenue Code, but ONLY under principles of justice and equity. It is NOT a “privilege” or “franchise” or “public right” to expect the government to RETURN money that was UNLAWFULLY STOLEN and sent to the government and which the government is not lawfully entitled to hold as the “transferee” or “fiduciary” over other people’s money. Keeping such proceeds would cause the government to be engaging in criminal money laundering and make the government into a protection racket rather than a protector.

1 “A claim against the United States is a right to demand money from the United States.”³⁸
2 Such claims are sometimes spoken of as gratuitous in that they cannot be enforced by suit
3 without statutory consent.³⁹ **The general rule of non-liability of the United States does**
4 **not mean that a citizen cannot be protected against the wrongful governmental acts that**
5 **affect the citizen or his or her property.**⁴⁰ **If, for example, money or property of an**
6 **innocent person goes into the federal treasury by fraud to which a government agent was**
7 **a party, the United States cannot [lawfully] hold the money or property against the claim**
8 **of the injured party.**⁴¹”
9 [American Jurisprudence 2d, United States, §45 (1999)]

10 4.7. An “election” to be treated as a “resident alien” and obtain a reduced tax liability pursuant to [26 U.S.C. §](#)
11 [7701\(b\)\(4\)\(B\)](#), or [6013\(g\)](#) or (h).

12 5. Initiating civil or criminal litigation against the Protected Party.

13 6. Associating the Protected Party with any federally issued identifying number, including but not limited to Social Security
14 Numbers as described in 20 C.F.R. §422.103(d), Taxpayer Identification Numbers as described in [26 U.S.C. §6109](#), or
15 Employer Identification Numbers as described in [26 U.S.C. §6109](#). Protected Party does not consent to take custody of
16 these forms of public property, which 20 C.F.R. §422.103(d) says belongs to the government and not Protected Party.
17 This would represent compelled association in violation of the First Amendment and involuntary servitude in violation
18 of the Thirteenth Amendment. Government Actor is reminded that Protected Party does not possess, voluntarily use,
19 nor have a Social Security Number or Taxpayer Identification Number and never lawfully requested one.

20 **12.13 Other Terms and Conditions**

21 Government Actor consents and agrees to:

- 22 1. Abide by this agreement in its entirety.
- 23 2. Produce evidence of consent to the surrender of the rights conveyed *in writing* with the signature of the Protected Party
24 to any and all franchises or contracts sought to be enforced by the Government Actor as against the Protected Party and
25 to dismiss all legal actions where this requirement is not met.
- 26 3. Accept, pay, and not remove from county records private contractual liens upon his real property, wherever situated
27 when filed by Protected Party in order to enforce this agreement. These private contractual liens shall be filed by
28 Protected Party under power of attorney as against the Government Actor.
- 29 4. Accept, pay, and not remove UCC contractual liens against the chattel property of Government Actor in order to enforce
30 this agreement. These secured transactions shall be filed by Protected Party under power of attorney as against the
31 Government Actor.
- 32 5. Respect all the provisions and constraints of the following two documents submitted previously to the recipient and the
33 government. Proof of service upon the government is available upon request:
- 34 5.1. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001
35 <http://sedm.org/Forms/FormIndex.htm>
- 36 5.2. *Resignation of Compelled Social Security Trustee*, Form #06.002
37 <http://sedm.org/Forms/FormIndex.htm>

38 **13 Dispute Resolution**

39 Parties stipulate all of the following terms and conditions governing disputes under this agreement.

³⁸ United States ex rel. Angarica v. Bayard, 127 U.S. 251, 32 L.Ed. 159, 8 S.Ct. 1156, 4 A.F.T.R. 4628 (holding that a claim against the Secretary of State for money awarded under a treaty is a claim against the United States); Hobbs v. McLean, 117 U.S. 567, 29 L.Ed. 940, 6 S.Ct. 870; Manning v. Leighton, 65 Vt. 84, 26 A. 258, motion dismd 66 Vt. 56, 28 A 630 and (disapproved on other grounds by Button’s Estate v. Anderson, 112 Vt. 531, 28 A.2d. 404, 143 A.L.R. 195).

³⁹ Blagge v. Balch, 162 U.S. 439, 40 L.Ed. 1032, 16 S.Ct. 853.

⁴⁰ Wilson v. Shaw, 204 U.S. 24, 51 L.Ed. 351, 27 S.Ct. 233.

⁴¹ Bull v. United States, 295 U.S. 247, 79 L.Ed. 1421, 55 S.Ct. 695, 35-1 U.S.T.C. ¶ 9346, 15 A.F.T.R. 1069; United States v. State Bank, 96 U.S. 30, 96 Otto. 30, 24 L.Ed. 647.

13.1 Agency and Status of Parties

Parties under this franchise consent to be treated as all of the following in respect to federal civil jurisdiction:

1. Nonresident.
2. "Stateless person" because domiciled AND resident outside the statutory but not constitutional "United States".
3. If the parties are domiciled in different states of the Union or foreign jurisdictions, Constitutional diversity shall apply under Article III, Section 2 and NOT statutory diversity under 28 U.S.C. §1332.
4. That described in the following:

<u>Tax Form Attachment</u> , Form #04.201 http://sedm.org/Forms/FormIndex.htm
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Protected Party has not consented and has no delegated authority to consent to represent an enfranchised or privileged government entity of any kind, including but not limited to all of the following kinds, and therefore has no option but to proceed ONLY under the common law and equity:

1. Public officer of state or national governments.
2. Instrumentality or agent of any kind of state or federal governments.
3. Statutory "taxpayer" per 26 U.S.C. §7701(a)(14).
4. Statutory "driver" under state motor vehicle code.
5. Statutory "spouse" under state family code.
6. Social security participant under the Social Security Act, 42 U.S.C. Chapter 7.
7. Statutory "U.S. citizens" as described in [8 U.S.C. §1401](#) or 26 C.F.R. §1.1-1(c) or any other federal statute.
8. Statutory "U.S. resident" as described in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) or any other federal statute.
9. Statutory "U.S. persons" as defined in [26 U.S.C. §7701](#)(a)(30) or any other federal statute.
10. Statutory "person" as defined in [26 U.S.C. §6671](#)(b) or [26 U.S.C. §7343](#) or any other federal law.
11. Statutory "individual" as defined in [5 U.S.C. §552a](#)(a)(2) and 26 C.F.R. §1.1441-1(c)(3) or any other federal statute.
12. Statutory "nonresident alien individual" per 26 C.F.R. §1.1441-1(c)(3).
13. Statutory "federal personnel" as defined in [5 U.S.C. §552a](#)(a)(13).

Parties stipulate that any attempt to assign or presume or declare any of the above statuses or conditions to the Protected Party shall constitute:

1. FRAUD.
2. Unlawful duress.
3. Perjury, if such assertion appears in any pleading filed or evidence entered in a court of law.
4. Identity theft.
5. Compelled association.
6. Compelled contacting and/or involuntary servitude.

. . . with the state or federal governments.

Parties stipulate that neither Protected Party nor Government Actor were or are acting as an officer or "public officer" within any government or corporation in the context of their interactions or with any obligations associated with their relationship, including tax obligations.

"Private person. Term sometimes used to refer to persons **other than those holding public office** or in military services."
[Black's Law Dictionary, Sixth Edition, p. 1196]

Parties stipulate that any of the following actions on the part of the Government Actor shall constitute criminal impersonation of a public officer (per 18 U.S.C. §912) by the Government Actor, criminal conversion of private property to a public use, and theft against the Protected Party by the Government Actor:

1. Filing any kind of information return against the protected party under the authority of 26 U.S.C. §6041, including but not limited to IRS Forms W-2, 1042-S, 1098, and 1099. All such returns shall be deemed to be false and a criminal violation of 26 U.S.C. §7206 and/or 7207.

2. Requiring the disclosure or use of:
 - 2.1. A Taxpayer Identification Number (T.I.N.) as defined in 26 U.S.C. §6109.
 - 2.2. Social Security Number (SSN) as defined in the Social Security Act in connection with their relationship as a precondition of engaging in a relationship or under threat of terminating said relationship. See 42 U.S.C. §408(a)(8).
3. Requiring that the Protected Party declare or represent his/her/its status as being anything other than that described herein as a condition of engaging in a relationship or under threat of terminating said relationship.
4. Honoring an IRS Levy or state levy under the authority of 26 U.S.C. §6331. Protected Party is not acting and does not consent to act as an agency or instrumentality of the national government subject to levy as described in 26 U.S.C. §6331(a) and it is a crime for him to act in said capacity.

Government Actor agrees to become the substitute defendant who is exclusively responsible for all penalty and tax assessments, or court judgments instituted against Protected Party.

Government Actor furthermore agrees NOT to either complain or prosecute any party to any dispute under this agreement for the “unauthorized practice of law”, and agrees to become the substitute defendant if any third party such as a government or Government Actor attempts to or succeeds in prosecuting any party to this agreement for the unauthorized practice of law. The term “practice of law” or “law practice” shall have the meaning prescribed earlier in section 4.1.19 of this franchise agreement.

13.2 Choice of Law

This section prescribes the choice of law which applies to all past, present, and future interactions between the Protected Party and the Government Actor. It also governs and controls all litigation in any court of justice between Protected Party and the Government Actor in both civil and criminal matters pertaining to this specific transaction:

1. Parties stipulate the following document into evidence governing choice of law involving disputes between them. It is designed to ensure that common law and equity is enforced between the parties and thereby avoid enforcing or imputing superior powers to any government or government actor in violation of the First Amendment:

<p><i>Choice of Law</i>, Litigation Tool #01.010 https://sedm.org/Litigation/01-General/ChoiceOfLaw.pdf</p>
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2. Parties stipulate that the common law, the Bill of Rights, and equity and this agreement ALONE shall dictate the choice of law in any dispute between the parties.
3. Pursuant to [Federal Rule of Civil Procedure 17\(b\)](#), the choice of law which applies is ONLY the law from the domicile of each party and NOT the laws of the “United States” or any “State” as used in any federal law. [Federal Rule of Civil Procedure 17\(b\)\(2\)](#) and [\(b\)\(3\)](#) do NOT apply to this proceeding.
4. Parties stipulate that neither are party to any government franchise, “benefit”, or privilege, including but not limited to government employment, Social Security, Medicare, unemployment insurance, or the [Internal Revenue Code, Subtitle A](#) income tax (“[trade or business” franchise](#)).
5. Parties stipulate that their relationship does not involve a “federal question” or any property of the national government coming under Article 4, Section 3, Clause 2 and may therefore not be removed to a federal court and must be litigated only in a state court.
6. Parties stipulate that they are not and were not domiciled or “resident” within and did not occupy any of the following during any of their interactions:
 - 6.1. Any United States judicial district as described in [28 U.S.C. Chapter 5](#).
 - 6.2. Any Internal Revenue District mentioned in [26 U.S.C. §7601](#).
 - 6.3. Any federal territory or possession.
7. Parties stipulate that they were not present in any of the following during any aspect of their interactions:
 - 7.1. The “State” defined in [26 U.S.C. §7701\(a\)\(10\)](#) or [4 U.S.C. §110\(d\)](#) or any other federal law.
 - 7.2. The “United States” as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and [\(a\)\(10\)](#).
8. Parties stipulate NOT to apply any provision of federal law, including but not limited to 26 U.S.C. §7701(a)(39), 26 U.S.C. §7408(d), or Federal Rule of Civil Procedure 17(b) to kidnap or transport his/her/its legal identity to the District of Columbia. He does NOT consent to represent any entity covered by these statutes.
9. Government Actor consents to be treated as a “resident” within whatever court, tribunal, or district that Protected Party files suit against him.

Parties stipulate that this agreement has no illegal or injurious purpose whatsoever and therefore may not be invalidated by any court. Its sole purpose is to avoid compelled association with or contracting with ALL governments, which is protected

by the First Amendment and Article 1, Section 10 of the Constitution. In the event that any part of this agreement is found to be unenforceable, it is the intent of the parties that all remaining provisions shall be legally binding.

13.3 Venue

All disputes under this agreement shall proceed under the common law and equity RATHER than civil statutory law. A common law "court of record" shall be established and convened for the purposes of hearing this matter of PRIVATE and not PUBLIC rights:

Courts of record and courts not of record. *The former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. , Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal. 225; Erwin v. U. S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio.St. 205, 117 N.E. 229, 231.*

A "court of record" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. *Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227. 229: Ex parte Gladhill, 8 Metc . Mass., 171, per Shaw, C. J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.*

Courts may be at the same time of record for some purposes and not of record for others. Lester v. Redmond, 6 Hill, N.Y., 590; Ex parte Gladhill, 8 Melc., Mass., 168. [Black's Law Dictionary, Fourth Edition, pp. 425-426]

Note that the distinguishing characteristic of a "court of record" is that it proceeds independently of the person of the judge or magistrate. The Sovereign who initiates the suit, who is the Plaintiff, executes the functions of the court and represents the court and the suit independent of the magistrate or judge. Final judgment is reserved for ONLY the jury, who are the ONLY true sovereigns and "the court".

*"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. **They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives.** They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*

[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

The distinguishing feature of a common law court is that it is convened for the enforcement of private rights and is done under equity and NOT statutory law. Parties stipulate that statutory civil law, in fact, only regulates public conduct of public officers within the government. See:

<p><u>Why Statutory Civil Law is Law for Government and Not Private Persons</u>, Form #05.037 http://sedm.org/Forms/FormIndex.htm</p>

13.4 No Statutes of Limitation

No statutes of limitations shall be enforced to protect against any violations of this agreement. All statutory civil law, in fact, is for government public officers and not private parties such as the Protected Party, as exhaustively proven in the following:

<p><u>Why Statutory Civil Law is Law for Government and Not Private Persons</u>, Form #05.037 http://sedm.org/Forms/FormIndex.htm</p>

1 The following U.S. Supreme Court ruling establishes why statutes of limitations cannot undermine the protection of private
2 rights and private property.

3 *The police power cannot go beyond the limit of what is necessary and reasonable for*
4 *guarding against the evil which injures or threatens the public welfare in the given case,*
5 *and the legislature, under the guise of that power, cannot strike down innocent occupations*
6 *and destroy private property, the destruction of which is not reasonably necessary to*
7 *accomplish the needed reform; and this, too, although the legislature is the judge in each*
8 *case of the extent to which the evil is to be regulated or prohibited. Where the occupation*
9 *is in itself immoral, there can be no question as to the right of the legislature. 2 Kent,*
10 *Comm. 340. Nor is it denied that every one holds his property subject to the proper exercise*
11 *of the police power. Dill. Mun. Corp. 136; Tied. Lim. Police Power, 122, 122a; Com. v.*
12 *Tewksbury, 11 Metc. 55. Nor that the legislature can destroy vested rights in the proper*
13 *exercise of this power. Coates v. Mayor of New York, 7 Cow. 585. But the unqualified*
14 *statement that when the legislature has exercised its right of judging, by the enactment of*
15 *a [626-Continued.] prohibition, all other departments of the government are bound by the*
16 *decision, which no court has a right to review, (Bish. St. Cr. 995,) cannot be true. The*
17 *legislative power cannot authorize [OR PROTECT THROUGH A STATUTE OF*
18 *LIMITATIONS] manifest injustice by positive enactment, or take away security for*
19 *personal liberty or private property, for the protect on whereof government was*
20 *established. Calder v. Bull, 3 Dall. 386. The state cannot deprive the citizen of the lawful*
21 *use of his property if it does not injuriously effect others. Lake View v. Cemetery Co., 70*
22 *Ill. 191. The state cannot enact laws, not necessary to the preservation of the health and*
23 *safety of the community, that will be oppressive and burdensome to the citizen. Railway*
24 *Co. v. City of Jacksonville, 67 Ill. 37. The constitutional guaranty of life, liberty, and*
25 *pursuit of happiness is not limited by the temporary caprice of a present majority, and*
26 *can be limited only by the absolute necessities of the public.* Intoxicating Liquor Cases,
27 (BREWER, J.), 25 Kan. 765; Tenement- House Cigar Case, 98 N. Y. 98; Cooley, Const.
28 Lim. (5th Ed.) 110, 445, 446. No proposition is more firmly established than that the citizen
29 has the right to adopt and follow such lawful and industrial pursuit, not injurious to the
30 community, as he may see fit. People v. Marx, 99 N.Y. 377, 386, 2 N.E. Rep. 29. The mere
31 existence of a brewery in operation, or of beer therein in vats, or packages not intended
32 for consumption in the state is not in any way detrimental to the safety, health, or morals
33 of the people of Kansas; nor can it be said that there is anything immoral in the business
34 of brewing, or in beer itself, as in gambling or lotteries. Stone v. Mississippi, [101 U.S. 814](#)
35 .

36 *There is no question that this enactment does in the sense of the law deprive appellees of*
37 *their property. Pumpelly v. Green Bay Co., 13 Wall. 177; Munn v. Illinois, [94 U.S. 141](#).*

38 *It is a fundamental principle that where a nuisance is to be abated, the abatement must be*
39 *limited by its necessities, and no wanton injury must be committed. The remedy is to stop*
40 *the use to which the building is put, not to tear down or destroy the structure itself. Babcock*
41 *v. City of Buffalo, 56 N. Y. 268, affirming 1 Sheld. 317; Bridge Co. v. Paige, 83 N. Y. 188-*
42 *190; Wood, Nuis. 738. The nuisance here is sale within the state. To that extent alone can*
43 *the legislature authorize the nuisance to be abated or the property destroyed.*
44 [\[Mugler v. Kansas, 123 U.S. 623 \(1887\)\]](#)

45 Consequently, parties stipulate that the statutes of limitations apply ONLY to the situation where BOTH the party injured
46 AND the party injuring are public officers and also parties to the “social compact” sought to be enforced. Neither party in
47 this case agrees to act on behalf of the government for the purposes of this agreement. If the injured party is a PRIVATE
48 party and not a public officer, a statute of limitations can only serve to:

- 49 1. Undermine the security and protection of PRIVATE rights, property, and persons.
- 50 2. Protect and even promote wrongdoing by Government Actors.
- 51 3. Violate the fiduciary duty of a REAL de jure government in fulfilling the ONLY purpose of its creation, which is the
- 52 protection of PRIVATE rights to life, liberty, and property.

13.5 All governments excluded from suit, joinder of parties

1. Government Actor agrees not to request the involvement of any government in any lawsuit against Protected Party, and to object and not consent to any involvement by any government in any suit between the two parties.
2. Government Actor agrees to disclose in full and in writing the nature and details of any and all written and verbal communication between his/her/it self and any government or Government Actor within one week of any such contact that might relate to or affect any dispute existing with Protected Party.
3. If Government Actor is serving on behalf of the United States Government in any capacity, he/she agrees not to allow the Attorney General to substitute the "United States" as defendant in the context of any dispute relating to the enforcement of this franchise under the authority of 28 U.S.C. §2679. Government Actor shall instead defend the case personally and out of their own funds.
4. Government Actor waives the right of reimbursement from the Secretary of the Treasury for any judgments against Government Actor by the Protected Party pursuant to [26 U.S.C. §7423](#).
5. If Government Actor is serving on behalf of any state of the Union or county government in any capacity, he/she agrees not to allow the Attorney General of his/her state or the District Attorney of his/her municipality to substitute the respective state or municipality as defendant in the context of any dispute relating to the enforcement of this franchise.

For the purposes of this section, parties stipulate that the following entities are presumed NOT to be part of any government, but instead to be PRIVATE commercial corporations interacting with the public in equity:

1. Internal Revenue Service (IRS).
2. State revenue agencies and department of revenue in those states participating in the federal income tax.
3. Social Security Administration, in the context of activities within constitutional but not statutory states of the Union.

The reason for the above is explained below:

Origins and Authority of the Internal Revenue Service, Form #05.005

<http://sedm.org/Forms/FormIndex.htm>

Lastly, Parties to this agreement stipulate that any of the following activities by any Government Actor or his/her employer shall render all such activities as PRIVATE BUSINESS ACTIVITIES undertaken in equity and which may NOT be protected by any governmental law:

1. Enforcing federal civil law within the borders of a constitutional state of the Union on OTHER than federal territory. See:

Federal Enforcement Authority Within States of the Union, Form #05.032

<http://sedm.org/Forms/FormIndex.htm>

2. Offering or enforcing any government franchise, license, or tax within the borders of a constitutional state of the Union on OTHER than federal territory. All such activities are hereby stipulated by the Parties to this agreement to be an "invasion" within the meaning of Article 4, Section 4 of the United States Constitution. See:

Government Instituted Slavery Using Franchises, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

3. Any attempt to alienate PRIVATE rights that the Declaration of Independence declares to be UNALIENABLE. All such activities are OPPOSITE to the purpose for which governments are established. That purpose is to protect PRIVATE rights. The first step in such protection is to prevent them from being converted into PUBLIC RIGHTS, with or without the consent of the owner.
4. Any franchise or public right offered extraterritorially which:
 - 4.1. Is offered to those not domiciled on the territory of the sovereign offering the franchise.
 - 4.2. Is only available to those domiciled on the territory of the sovereign offering the franchise, but which is administered in such a way that the domicile or residence prerequisite is waived as a matter of policy and fiat and in contradiction to what the law permits.
5. Any franchise or public right which is implemented with that which is not "positive law", and therefore which can therefore only acquire the "force of law" and the status of "legal evidence" with the CONSENT of those who are subject.
6. Any public right that is vindicated or protected in any court without a jury present or with a jury occupied by anyone with a commercial relation with the government. All courts that operate without the supervision of the ONLY true

sovereigns, an impartial jury of We The People, are legislative franchise courts that do not operate in equity and whose officers always have a criminal and financial conflict of interest that ensures an unjust result.

"franchise court. Hist. A privately held [meaning NON-GOVERNMENTAL] court that (usu.) exists by virtue of a royal grant [franchise privilege], with jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time. In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was abolished. - Also termed courts of the franchise.

Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after the famous Quo Warranto enquiry in the reign of Edward I." W.J.V. Windeyer, Lectures on Legal History 56-57 (2d ed. 1949)."
[Black's Law Dictionary, Seventh Edition, p. 668]

13.6 Stipulations Applying to all Litigation

The following rules shall apply to all disagreements, whether administrative, or judicial, between parties:

1. Duress:

Parties stipulate that the following actions by any Government Actor shall constitute unlawful duress, theft, FRAUD, and perjury by said actor.

1.1. Imputing any statutory status to the Protected Party absent their express written consent.

1.2. Quoting or enforcing any federal civil statute against the Protected Party.

1.3. Where terms are not defined, presuming that the definition includes or affects private rights or private property. Rather, parties hereby stipulate that ALL civil statutes can and do affect ONLY PUBLIC rights and PUBLIC property and exclude private rights and private property. This is a rebuttable presumption, and the presumption can be rebutted by producing a statute that EXPRESSLY identifies PRIVATE rights and "human beings" rather than "individuals" as its intended target. By default, the term "individual" is hereby stipulated to include ONLY public officers and public entities within the government.

1.4. Adding any thing or class of thing to the statutory definition of any word that does not EXPRESSLY appear in the statute itself.

"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a rule, 'a definition which declares what a term 'means' . . . excludes any meaning that is not stated"); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."
[Stenberg v. Carhart, 530 U.S. 914 (2000)]

"Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one thing is the exclusion of another. Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be

***inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded.”*
[Black’s Law Dictionary, Sixth Edition, p. 581]

1.5. Reaching any inference or conclusion not based upon admissible evidence or which is based upon that which is not “positive law” and therefore legal evidence.

2. Judgments:

2.1. Summary judgments are not permitted because they lack impartiality. Everything will be decided by an IMPARTIAL jury panel.

2.2. Court MUST address all issues raised by either party in the final order, and especially issues relating to the jurisdiction of the government over either party.

2.3. Parties stipulate that they will not invoke exclusions within the Declaratory Judgments Act, 28 U.S.C. §2201(a), as an excuse for the Court NOT to rule on any issue before the court that might affect the protection of PRIVATE rights. All such exemptions can and do only pertain to public rights and public officers and cannot and do not constrain the court from protecting PRIVATE rights. The ONLY type of rights the Protected Party has or may exercise, consistent with his delegation of authority order from God, are PRIVATE rights.

2.4. If judge indicates that the Declaratory Judgments Act constrains him from ruling, the jury can and will still rule and parties stipulate that said jury will NOT be so constrained. Parties stipulate that disallowing the jury from ruling on any issue that might protect PRIVATE rights shall be construed both by the Jury and by all parties as a conspiracy against PRIVATE rights and a tort.

3. Court Officers:

3.1. The judge shall have NO private meetings or in camera meetings with the attorneys. Everything he or she says to counsel, if during trial, must ALSO be heard by the jury and submitted into evidence for the jury to examine.

3.2. Attorneys for the government shall not be regarded as the real party in interest, but rather someone from the executive branch of the government shall be the real party in interest in a case where the opposing party is a government.

4. Evidence:

4.1. No government publication shall be admitted into evidence in the resolution of any dispute between the parties, and especially any IRS Publication, which the IRS itself says in Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8 says is untrustworthy and unreliable.

4.2. Evidence admitted shall not be filtered or redacted in any way. Any publication from which any excerpt is made shall be admitted IN ITS ENTIRETY with nothing lined out or redacted or censored. For instance, if an excerpt from any document available from either of the following two website is made, then THE ENTIRE website and the ENTIRE DOCUMENT from which the excerpt is made shall ALSO be admitted into evidence:

4.2.1. <http://sedm.org>

4.2.2. <http://famguardian.org>

4.3. No judicial proceeding from any District or Circuit Court involving the enforcement of any government franchise shall be:

4.3.1. Admitted as evidence of any obligation on the part of the Protected Party.

4.3.2. Used as a means to establish what the Protected Party knew or should have known about his/her obligations.

4.3.3. Used as precedent to establish any obligation on the part of the Protected Party.

Instead, parties stipulate that there is no federal common law applying to those domiciled within a constitutional state of the Union. They also stipulate that no aspect of the arbitration of the relationship between the parties relate to a question under any federal statutory law. All U.S. District and Circuit Courts shall be regarded as franchise courts that can only hear federal questions relating to federal franchises and property, and this relationship does not involve either, but rather constitutes a PRIVATE franchise.

4.4. All correspondence sent by Government Actor or his/her employer to either Protected Party or to third parties but relating to Protected Party shall be deemed to be signed under penalty of perjury and actionable against the Government Actor if false, even if:

4.4.1. Government Actor did not prepare the correspondence or notice.

4.4.2. Employer of Government Actor disclaims responsibility for the accuracy of their publications, forms, or correspondence. Example: Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8.

4.5. Litigants shall not be prohibited or prevented from discussing ANY statute, regulation, or case law in the courtroom or in front of the jury.

4.6. A failure to deny any assertion by either party shall constitute evidence of a conclusive admission of the thing not expressly denied. This rule shall apply to the government AS WELL as the Protected Party because inequality would result if it didn't.

- 4.7. All denials must be signed under penalty of perjury by the real party in interest. In case of disputes under the Internal Revenue Code, this is mandated by 26 U.S.C. §6065.
- 4.8. No statute or law or regulation or constitutional provision shall be prevented from being entered into evidence or prevented from being viewed by the jury.
- 4.9. No “experts” in law shall be admitted to direct the jury about what the law means or implies. The jury is the only party that may both READ and INTERPRET what any given legal provision means. Law is supposed to be written to be understandable by the common man sitting on a jury, and if it is not, then:
- 4.9.1. It is void for vagueness.
- 4.9.2. Shall be treated as unenforceable.
- 4.9.3. Turns the judge into a priest of a civil religion within a state-sponsored church.
- 4.10. All evidence gathered during discovery shall be admitted at trial and in the record and NOTHING shall be filtered or restricted from viewing by the jury.
- 4.11. Parties stipulate to admit the following evidence in any judicial dispute between them involving their interactions pursuant to Federal Rule of Civil Procedure 29. They furthermore stipulate that all evidence listed shall be deemed truthful, accurate, and consistent with prevailing law except that which they individually and specifically rebut with court-admissible evidence from ONLY the written law itself.
- 4.11.1. This document and all attached documents.
- 4.11.2. All correspondence between the parties.
- 4.11.3. Anything the Protected Party desires from the following website: <http://sedm.org>; <http://famguardian.org>.
- 4.11.4. All information and attachments submitted to the government by the Protected Party in any civil or criminal dispute arising between the Protected Party and either the recipient or the entity he or she works for pursuant to [Federal Rule of Civil Procedure 19](#) and the [Federal Rules of Criminal Procedure](#). This information must also be presented to any and all grand juries that might convene about the Protected Party which are initiated by either the Government Actor or his or her employer.

5. Materiality of Evidence

- 5.1. None of the forms submitted by Protected Party under any franchise at any time to any government shall be regarded as being material or actionable under the original statutory franchise agreement. They shall NOT be considered as having ANY commercial consequence or form the basis for any injury because the Protected Party does NOT consent to participate and defines and describes any and all “benefits” as gifts rather than the product of any statutory relationship of the parties. This includes but is not limited to:
- 5.1.1. Social Security.
- 5.1.2. Income Taxes.
- 5.1.3. Property Taxes.
- 5.1.4. Government healthcare.
- 5.1.5. Vehicle code.
- 5.1.6. Family code.
- 5.2. The only written thing that is both factual and actionable are:
- 5.2.1. The terms of this anti-franchise franchise.
- 5.2.2. Statements of the Government Actor meant to COMPEL or unlawfully impose participation in the above franchises against the Protected Party.
- 5.2.3. Any and all statements by Protected Party and Government Actor responding to his or her duties or the enforcement of those duties in a court of law.

6. Discovery:

- 6.1. None of the persons called as witnesses by either side at any trial involving this Ministry may:
- 6.1.1. Work for the federal or state government.
- 6.1.2. Receive retirement benefits from the government.
- 6.1.3. Receive financial benefits of any kind from the government.
- 6.1.4. Be statutory "taxpayers", "U.S. citizens", or "U.S. residents".
- This will ensure that the all witnesses called will be completely objective, neutral, and unbiased.
- 6.2. Each party shall pay for the cost of their own discovery and not ask the court to have the other party pay for their discovery under any circumstances.
- 6.3. There will be no limit upon the number of admissions, interrogatories, or Request for the Production of Documents (RFPDs), that may be served by either party against the other party. State or federal limitations such as the “Rule of 31”, for instance, shall NOT apply. All such discovery shall be timely and completely answered by either party and the answer shall be signed under penalty of perjury as required by 26 U.S.C. §6065 by a party who has legal authority to represent or obligate the government, if the party answering is the government.
- 6.4. All depositions prior to trial shall be conducted by deposition upon written questions and NOT using a court reporter. Responses shall be submitted under penalty of perjury by the party deposed. If the Government Actor

is a federal worker, the authority for such a deposition shall be Federal Rule of Civil Procedure 31. This requirement is intended to minimize the cost of enforcing this agreement and to facilitate gathering of written evidence useful in prosecuting violations of law by Government Actor and his/her coworkers within the government he/she serves within.

6.5. Neither party to any dispute may request or receive any kind of sanctions relating to discover, excepting those involved in failure to provide information.

7. Parties who may participate as judges or jurists in litigation between the parties. None of the following criminal or unconstitutional conflicts of interest or injustices shall be permitted during any litigation between the parties:

7.1. Denying justice as a service to specific classes or groups of people based on some arbitrary criteria such as ethnicity, sexual orientation, gender, religious beliefs, etc.

7.2. Charging so much for the service that the people at the bottom of the economic ladder can't afford it. Thus, the poor are discriminated against and can easily be abused by the rich without legal consequence.

7.3. Prosecuting people for failing to pay taxes that pay for police protection, while not prosecuting officers who fail to render the protection paid for. See:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 8
<https://sedm.org/Forms/FormIndex.htm>

7.4. Appointing and paying a court-appointed and court-selected attorney who is licensed and therefore beholden to the court at the expense of the best interests of the client. See:

Petition for Admission to Practice, Family Guardian Fellowship
<https://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf>

7.5. The judge orders the court reporter to withhold the court transcript and then orders the text changed to remove something that he said that would undermine the government, or get him in trouble. That way, you as the litigant discriminated upon or treated illegally by the judge do not have proof that he is doing it. This is criminal obstruction of justice and also criminally tampers with the court reporter as a witness.

7.6. Allowing judges to serve over both CONSTITUTIONAL issues and FRANCHISE issues and to decide which of the two types of law to apply. That choice is called "choice of law" and it is discussed in Form #05.018, Section 3. Judges whose pay and benefit derives from franchises will always try to switch the choice of law from CONSTITUTIONAL to STATUTORY FRANCHISE as a way to increase their own revenues or lower the taxes they pay for those franchises. For instance, allowing a state criminal judge whose revenues or commissions derive from traffic tickets to preside over a case involving unlicensed driving against someone who is PRIVATE and not a franchisee and who has CONSTITUTIONAL rights but wants not STATUTORY PRIVILEGES. This causes the judge to PRETEND that the party is subject to the statute when they are not in order to unlawfully enlarge government revenue and his own pay and benefits.

7.7. Instituting a commission program to reward police officers for writing tickets that produce revenue. This is an illegal abuse of the police power for civil or revenue purposes. See:

Sovereignty for Police Officers Course, Form #12.022
<https://sedm.org/Forms/FormIndex.htm>

7.8. Censoring the court record by:

7.8.1. Telling you what to say in a pleading.

7.8.2. Denying the filing of specific types of pleadings.

7.8.3. Rejecting the pleading because it is too long.

7.9. Hearing a case where one of the litigants before the court is a friend of the judge or has a commercial relationship with him/her. Judges are required to recuse themselves in such a case.

7.10. Sanctioning people OTHER than licensed attorneys for any of their activities in the court other than contempt relating to disobeying court orders. Court rules pertain only to officers of the court, including those relating to sanctions. Private humans are not officers of the court. See Federal Rules of Civil Procedure.

7.11. Causing a surrender of any right, and especially constitutional right, against the government or a specific Government Actor in exchange for the ability to file suit. Examples might include:

7.11.1. Waiving the right of trial by jury in exchange for the PRIVILEGE of being able to file a suit. Traffic court, Tax Court, and Family Court don't have a jury or a jury box and you aren't even allowed to request one. You are presumed to have waived those rights when you signed up for the franchise, even though those rights are UNALIENABLE, according to the Declaration of Independence.

7.11.2. Making the rules of court arbitrary or not publishing them. This deprives litigants of the constitutional requirement for "reasonable notice" of what is expected of them and allows court officers to arbitrarily discriminate. See Form #05.022.

7.12. Instituting a conflict of interest, usually financial, among those judging the case, acting as witnesses, or serving as jurists. This would include:

- 7.12.1. Allowing judges or jurors to serve on trials involving taxes where they are either taxpayers or tax consumers.
- 7.12.2. Allowing judges to preside over trials involving companies they invested in.
- 7.12.3. Subsidizing judges with financial incentives for a specific outcome of the case, such as commissions for convictions.
- 7.12.4. Subsidizing court witnesses to testify in a way that produces a specific outcome of the case. For instance, paying witnesses a money award if their testimony produces a conviction.
- 7.12.5. Tampering with or bribing jurors by telling them, for instance, that they will or will not be audited by the IRS for testifying in a certain way.
- 7.12.6. Telling juries hearing tax cases that their tax bill will go up if they don't convict the defendant and thereby FORCE him or her to "pay their fair share".
- 7.12.7. Recruiting witnesses against you who are in jail and who are told they will be released if they testify in a certain way.
- 7.12.8. Telling a party among a group of people being convicted that they will get immunity and not be prosecuted if they testify against their cohorts.
- 7.13. Destroying all constitutional rights and replacing them with privileges by:
- 7.13.1. Forcing you to invoke the statutory law in order to get a remedy INSTEAD of the Constitution. See Form #05.037.
- 7.13.2. Dismissing or penalizing cases that invoke the Constitution as a remedy INSTEAD of the statutes. See Form #05.010.
- 7.13.3. Refusing to hear cases of people present on land but not domiciled on that land. See Form #05.002.
- 7.14. Censoring people from filing future actions in court. This happens all the time with people who use arguments in court that the courts don't want to deal with and which expose and prosecute government corruption.
- 7.15. Making the ruling unpublished in cases against the government where the government loses. Thus, you and other litigants may not use the win as an authority to win in future cases. This prejudices all cases in favor of the government and usually involves criminal obstruction of justice by the judge who made his ruling unpublished. See:
- <http://Nonpublication.com>
- 7.16. Making presumptions about the litigant or his/her status without evidence on the record of the proceeding which prejudices the litigant and favors the government. For instance, PRESUMING that they are a statutory "U.S. citizen" instead of a non-resident state national, thus making them liable for every act of Congress instead of immune from acts of Congress. See:
- 7.16.1. *Why You Are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006
<https://sedm.org/Forms/FormIndex.htm>
- 7.16.2. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017
<https://sedm.org/Forms/FormIndex.htm>
- 7.16.3. *Non-Resident Non-Person Position*, Form #05.020
<https://sedm.org/Forms/FormIndex.htm>
8. Stipulations Relating to Court Record of Proceeding: Parties stipulation that all motions, judgments, discovery, case transcripts of the court relating to disputes between them:
- 8.1. MUST become a public record.
- 8.2. May not go unpublished.
- 8.3. May not contain any statement indicating that the case may not be relied upon to sustain a position.
- 8.4. May not contain a statement that none of the pleadings or court record are nonfactual, nonactionable, or not admissible as evidence in other cases.
- 8.5. May not have anyone excluded from the audience, or heard in secret.
- 8.6. Must be entered in the same public case databases that statutory proceedings are entered in, including but not limited to:
- 8.6.1. Pacer.
- 8.6.2. Lexis.
- 8.6.3. Westlaw.
- 8.6.4. Fastcase.
- 8.6.5. Vlex.
- 8.6.6. Federal Depository Libraries
- 8.6.7. Findlaw.
- 8.6.8. Casetext.
- 8.6.9. Google Scholar.
- 8.6.10. Casemaker.

- 1 8.6.11. Federal Reporters.
2 8.6.12. Supreme Court reporters.

3 **13.7 Burden of Proof Upon All Government Officers**

- 4 1. If either Government Actor or his/her employer wishes to assert consent by the Protected Party to a waiver of any
5 constitutional right, it shall have the burden of proving that:
6 1.1. The Protected Party was domiciled and physically present on federal territory not protected by the Constitution
7 and that therefore, the Protected Party had no unalienable rights but only privileges.
8 1.2. The Protected Party expressly consented in writing to waive the right indicated in the mode he specifies.
9 1.3. All the rights conveyed through the consent given are fully disclosed in the actual writing that was signed by the
10 Protected Party.
11 2. All property held in the name of the Protected Party shall conclusively be presumed to be PRIVATE property beyond
12 the control of any government or any government civil or tax statute. Government Actor may only assert otherwise by
13 satisfying the following burden of proof:
14 2.1. That the Protected Party consented in writing to donate the formerly private property to a public use, public
15 purpose or public office.
16 2.2. That the domicile of the Protect Party was on federal territory not protected by the United States Constitution at
17 the time consent was given.

18 The provisions of this section are intended to enforce the requirement for equal protection and equal treatment by placing the
19 Protected Party on an equal footing with any and every government. Those who wish to civilly sue any government must
20 provide evidence of consent to be civilly sued. The above provisions ensure that any government suing the Protected Party
21 must meet the same requirement when trying to sue the Protected Party in a civil court.

22 If the Government Actor uses the word “law” to describe a statutory civil obligation by either party, the word “law” shall
23 mean a voluntary civil franchise available only to those domiciled within the exclusive jurisdiction of the government grantor
24 of the civil franchise. The government as moving party enforcing any obligation under such “law” agrees to meet the burden
25 of proof that the party against which they are enforcing said obligation:

- 26 1. Is lawfully serving in a public office in the government granting the franchise.
27 2. Is either consensually domiciled on federal territory or representing an entity so domiciled under [Federal Rule of Civil](#)
28 [Procedure 17](#).
29 3. Has the capacity to alienate Constitutional rights because either physically present on federal territory OR abroad OR
30 occupying an office that is executed ONLY where EXPRESSLY authorized per [4 U.S.C. §72](#). They furthermore agree
31 to provide the statute EXPRESSLY authorizing the exercise of the office in the PLACE they are trying to enforce.

32 In the absence of EXPRESSLY satisfying the above burden of proof with admissible evidence signed under penalty of
33 perjury, both parties to any enforcement action stipulate that there is CONCLUSIVE PRESUMPTION against any civil
34 enforcement authority of that civil statutory provision which is referred to with the term “law”. Parties also acknowledge
35 that any attempt to enforce an obligation UNDER said franchise without the requirement of domicile is a PRIVATE
36 contracting exercise that is NOT a government function and which may therefore NOT lawfully be protected with sovereign,
37 official, or judicial immunity. For details, see and rebut:

<p><i>Why Statutory Civil Law is Law for Government and Not Private Persons</i>, Form #05.037 http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf</p>

38 **13.8 Service of Process**

39 Government Actor agrees to accept service of legal process by any one or more of the following means:

- 40 1. By certified mail to the address that Government Actor last sent correspondence.
41 2. By Certificate/Proof/Affidavit of service to the address that Government Actor last sent correspondence.
42 3. By personal service upon the employer of the Government Actor.

43 Government Actor consents to provide a copy of their passport and driver’s license and dwelling place on all correspondence
44 with Protected Party and when requested by Protected Party in order to effect proper service of process.

14 Method of Amendment

This franchise and agreement may only be amended by making a written request signed under penalty of perjury in the full legal birth name of the requesting party and submitted to the Contact Us page of SEDM (<https://sedm.org/about/contact/>).

Parties stipulate to be subject to all future published versions of this franchise without notice by Protected Party or SEDM when or if they become available. Protected Party shall have discretion to modify, amend, or add any provision he or she sees fit to this agreement at any time without notice to the Government Actor, just like the government does with its franchise.

*"We must conclude that **a person covered by the Act has not such a right in benefit payments...** This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint."*
[Flemming v. Nestor, [363 U.S. 603](#) (1960)]

15 Severability and Affirmation

In the event that any part of this agreement is found to be unenforceable, it is my intent and the intent of the parties that all remaining provisions shall be legally binding.

I acknowledge that the obligations of this agreement are perpetual, supersede enacted law, and are superior to it. I voluntarily waive any and all benefit or immunity resulting from any statute of limitations, official, judicial, or sovereign immunity that might limit or destroy remedies or damages that could be claimed under this agreement in any court of law.

I voluntarily declare under penalty of perjury under the laws of the state I am domiciled in and from without the "United States" identified in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) and under [28 U.S.C. §1746\(1\)](#) that the foregoing facts are true and correct to the best of my knowledge and belief, so help me God.

PROTECTED PARTY	
Signature:  Kris Amund Kjornes	Date: 1/4/2023
Phone: 817.992.4928	Email address: kristofferkjornes@gmail.com
GOVERNMENT ACTOR	
Signature:	Date:
Phone:	Email address: